

## ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** Shinbay Yang / Staci Vang **ZONING FILE #** 10-310-741
  2. **APPLICANT:** Shinbay Yang **HEARING DATE:** May 13, 2010
  3. **TYPE OF APPLICATION:** Nonconforming Use Permit-Reestablishment
  4. **LOCATION:** 1648 Bush Ave, between Kennard and Germain
  5. **PIN & LEGAL DESCRIPTION:** 272922430051; J N Rogers 3rd Addition Lot 3 Blk 3
  6. **PLANNING DISTRICT:** 2
  7. **ZONING CODE REFERENCE:** §62.109(d) **PRESENT ZONING:** R4
  8. **STAFF REPORT DATE:** April 29, 2010 **BY:** Luis Pereira
  9. **DATE RECEIVED:** April 22, 2010 **60-DAY DEADLINE FOR ACTION:** June 21, 2010
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- A. **PURPOSE:** Re-establishment of nonconforming use as a duplex
- B. **PARCEL SIZE:** 4,953 sq. ft., plus ½ 600 sq. ft. alley, 5,253 sq. ft. (approximately 0.121 acres)
- C. **EXISTING LAND USE:** Duplex
- D. **SURROUNDING LAND USE:**
  - North: Single Family Detached Home (R4)
  - East: Single Family Detached Home (R4)
  - South: Single Family Detached Home (R4)
  - West: Single Family Detached Home (R4)
- E. **ZONING CODE CITATION:** §62.109(d) lists the conditions under which the Planning Commission may grant a permit to re-establish a nonconforming use.
- F. **HISTORY/DISCUSSION:** DSI property records indicate that a 1995 Truth in Sale of Housing Report states the property was a duplex. Additional records through 2004 indicate the property remained a duplex, despite a series of citizen complaints about inadequate trash and snow removal, and poor exterior maintenance. The property is first listed as "condemned/vacant" on March 3, 2007, and DSI records identify an alleged water service shut-off following shortly thereafter. In August 2007, gas/electric utilities were shut off (per Xcel Energy), and on September 12, 2007, the property was formally put on the City's Registered Vacant Building List as a Category 3 duplex. At that time, the owner was listed as Bank of America. On November 17, 2009, one of the applicants (and at that point, a potential property owner) completed a Residential Use Affidavit stating that he would be converting the existing legal nonconforming duplex to a single family dwelling. By March 26, 2010, the property owner indicated a change of mind, and is now attempting to re-establish the legal nonconforming duplex.
- G. **DISTRICT COUNCIL RECOMMENDATION:** The District 2 Community Council had not taken a written position on this application at the time the staff report was composed.
- H. **FINDINGS:**
  1. A Code Compliance Report was completed on August 31, 2009, addressed to Bank of America C/O Roxie. It recognized the property as a duplex, and identified numerous internal and external building repairs, as well as electrical, plumbing, and heating system work that must occur prior the property being sold or re-occupied. A letter addressed to the applicant and then-proposed buyer (Shinbay Yang) on November 20, 2009 (and accompanying DSI records) recommended the approval of the sale based on the applicant's compliance with several items, including: an issued Code Compliance Inspection Report; submitted cost estimates from licensed contractors for code compliance work; a submitted schedule for completion of code compliance work; and a signed Residential Use Affidavit submitted stating the applicant's intention to convert the property to a single family detached home
  2. The applicant applied for building permits to convert the property to a single family dwelling on March 15, 2010, but subsequently withdrew the application by March 26, 2010, indicating a

change of mind. According to one of the applicants, they would like to re-establish the legal nonconforming duplex use in order for their son his grandmother to live in the two units. If not approved, a building inspector will need to verify the conversion of this property to a single family detached use.

2. Section 62.109(e) states: *When a nonconforming use of a structure, or structure and land in combination, is discontinued or ceases to exist for a continuous period of three hundred sixty five (365) days, the planning commission may permit the reestablishment of a nonconforming use if the commission makes the following findings:*
  - (1) *The structure, or structure and land in combination, cannot reasonably or economically be used for a conforming purpose.* This finding is partially met. According to a Pro Forma submitted by the applicant, the cash flow (loss) associated with the single family detached home (-\$13,440) is greater than that associated with a duplex use (-\$6,500). However, the costs of rehabilitation improvements to the property as a single family home (\$30,000) are only slightly lower than those associated with a duplex use (\$35,000), suggesting that a single family use is still economically feasible at this property. One of the applicants indicates a possible hardship associated with not allowing a duplex use at this property, stating that for cultural reasons two separate units are more appropriate than one single unit as housing for her son and mother.
  - (2) *The proposed use is equally appropriate or more appropriate to the district than the previous nonconforming use.* This finding is met, as the proposed use is the same as the previous nonconforming duplex use, and records indicate the property's long history as a duplex.
  - (3) *The proposed use will not be detrimental to the existing character of development in the immediate neighborhood or endanger the public health, safety, or general welfare.* This finding is met, if the driveway is improved to include a curb cut, curb, and gutter and the repair items identified in the Code Compliance Report dated August 31, 2009, are performed.
  - (4) *The proposed use is consistent with the comprehensive plan.* This finding is met. The proposed and existing duplex use is consistent with the Land Use Plan's Generalized Future Land Use Map, which designates the property and the surrounding area as "Established Neighborhood," mainly residential areas with a range of housing types, though single family and duplexes predominate.
  - (5) *A notarized petition of two-thirds of the property owners within one hundred (100) feet of the property has been submitted stating their support for the use.* This finding is met. The petition was found sufficient on April 23, 2010: 17 parcels eligible; 12 parcels required; 14 parcels signed.
3. The Planning Commission has established guidelines for applications to establish legal nonconforming use status for duplexes. While not themselves requirements, these guidelines lay out additional more objective factors the Planning Commission wishes to consider in determining if the required findings for granting nonconforming use permits listed in §62.109 of the Zoning Code can be made. The Planning Commission's Duplex Conversion Guidelines state that for applications for nonconforming use permits for duplexes in residential districts, staff will recommend denial unless the following guidelines are met:
  - A. *Lot size of at least 5,000 square feet with a lot width or front footage of 40 feet.* This guideline is met. The lot size of 1648 Bush Avenue is 5,253 square feet, which includes half of the alley, and the lot is 40 feet wide.
  - B. *Gross living area, after completion of duplex conversion, of at least 1,500 square feet. Neither unit shall be smaller than 500 square feet.* This guideline is met. According to the

Summary Information Sheet for Duplex/Triplex Conversion Cases submitted by the property owner, the gross living area is 2,228 square feet, or 1,114 square feet per unit.

*C. Three off-street parking spaces (non-stacked) are preferred; two spaces are the required minimum.* This guideline is not met. In order for the front paved driveway to be used in the future, a curb cut, curb, and gutter must be installed. However, if these required improvements are made, the front paved driveway (40' deep by 10' wide) only, provides adequate space for one parking space (21' depth by 8' wide is required for parallel parking spaces). In addition, if the 40'-deep driveway is to be used for off-street parking, it must comply with §63.501 (Accessory buildings and uses), which prohibits off-street parking spaces within the front yard. The applicant would also either need to apply for and be approved for a parking variance to allow two less parking spaces than specified by this guideline, or the Planning Commission would need to find that the lack of two off-street parking spaces is an additional nonconforming item that is part of an approval of this NCUP. Alternatively, the applicant could remove the existing fence as well as at least one of two large trees along the rear property line, re-grade, and install a garage or parking pad that accesses the alley to meet the minimum requirement of two off-street parking spaces. It should be noted that there is adequate on-street parking on this block of Bush Avenue.

*D. All remodeling work for the duplex is on the inside of the structure unless the plans for exterior changes are approved by the Board of Zoning Appeals as part of the variance. (The Planning Commission will approve these changes for the cases they handle.)* This guideline is met. As stated above, the rehabilitation work required to use the property as a duplex involves numerous internal repairs (electrical, plumbing, and heating system work) as well as some external building work such as the repair/replacement of deteriorated windows and doors, the repair of siding, soffit, fascia, and trim, a re-leveling of the front porch, the replacement of rotting deck boards, joists, and blocking at the bottom of a side entry deck, the replacement of concrete steps that access the public sidewalk, and exterior painting. Consistent with this, the applicant identifies necessary internal work involving the appliances, cabinets, doors, electrical, flooring, heating, painting, plumbing, and external work involving the decking, driveway, landscaping, roofing, siding, and windows. While exterior work will occur, it is limited to basic Code-related repairs of deferred maintenance items and aesthetic improvements that will not alter the structure from its current size or general appearance. In addition, most of the identified external work would be required to be performed even if this property were to be converted back to a single family detached house.

*E. For the purpose of protecting the welfare and safety of the occupants of any structure that has been converted into a duplex without the necessary permits, a code compliance inspection shall be conducted and the necessary permits obtained to bring the entire structure into conformance with building and fire code standards; or the property owner must, as a condition of the approval, make the necessary improvements to obtain the necessary permits and bring the entire structure into building and fire code compliance within the time specified in the resolution.* This guideline is partially met (a Code Compliance Report has been issued), and can be completely met if the necessary repairs identified in the report are followed to continue its historical use as a duplex.

*The application for the permit shall include the petition, a site plan meeting the requirements of section 61.401, floor plans, and other information as required to substantiate the permit.* This finding is met.

- I. **STAFF RECOMMENDATION:** Based on finding #3C above, staff recommends denial of the re-establishment of nonconforming use as a duplex.



**NONCONFORMING USE PERMIT APPLICATION**  
Department of Planning and Economic Development  
Zoning Section  
1400 City Hall Annex  
25 West Fourth Street  
Saint Paul, MN 55102-1634  
(651) 266-6589

Zoning Office Use Only  
File #: 10-310741  
Fee: 650.00  
Tentative Hearing Date: 5-13-10

PD-2

#272922430051

**APPLICANT**

Name Staci Vang, Shinbay Yang  
Address P.O. Box 2644  
City Inver Grove Heights MN Zip 55076 Daytime Phone 651-491-3785  
Name of Owner (if different) \_\_\_\_\_  
Contact Person (if different) \_\_\_\_\_ Phone \_\_\_\_\_

**PROPERTY LOCATION**

Address/Location 1648 Bush Ave E.  
Legal Description ON File  
Current Zoning single family RH  
(attach additional sheet if necessary)

**TYPE OF PERMIT:** Application is hereby made for a Nonconforming Use Permit under provisions of Chapter 62, Section 109 of the Zoning Code:

- The permit is for: ☐ Change from one nonconforming use to another (para. c)  
☒ Re-establishment of a nonconforming use vacant for more than one year (para. e)  
☐ Establishment of legal nonconforming use status for use in existence at least 10 years (para. a)  
☐ Enlargement of a nonconforming use (para. d)

**SUPPORTING INFORMATION:** Supply the information that is applicable to your type of permit.

Present/Past Use Duplex

Proposed Use Duplex

Attach additional sheets if necessary

CK 3079  
650<sup>00</sup>

Attachments as required ☐ Site Plan

☒ Consent Petition

☒ Affidavit

Applicant's Signature

Date 3-26-10 City Agent



ZONING PETITION SUFFICIENCY CHECK SHEET

REZONING

SCUP

NCUP

FIRST SUBMITTED

RESUBMITTED

DATE PETITION SUBMITTED:

4-22-10

DATE PETITION RESUBMITTED: \_\_\_\_\_

DATE OFFICIALLY RECEIVED:

4-23-10

DATE OFFICIALLY RECEIVED: \_\_\_\_\_

PARCELS ELIGIBLE:

17

PARCELS ELIGIBLE: \_\_\_\_\_

PARCELS REQUIRED:

12

PARCELS REQUIRED: \_\_\_\_\_

PARCELS SIGNED:

14

PARCELS SIGNED: \_\_\_\_\_

CHECKED BY:

Paul Dubroue

DATE:

4-23-10

# CITY OF SAINT PAUL

## CONSENT OF ADJOINING PROPERTY OWNERS FOR A NONCONFORMING USE PERMIT

We, the undersigned, owners of the property within 100 feet of the subject property acknowledge that we have been presented with the following:

A copy of the application of Shirley Yang, Staci Vang  
(name of applicant)

to establish a Duplex  
(proposed use)

located at 1648 Bush Ave  
(address of property)

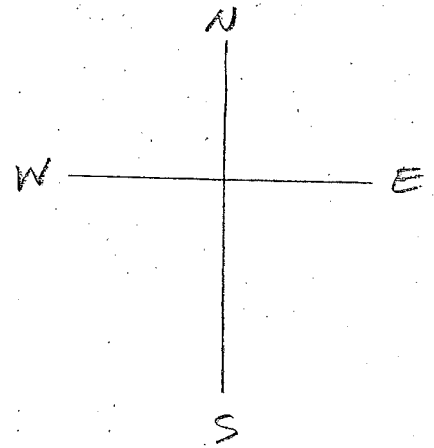
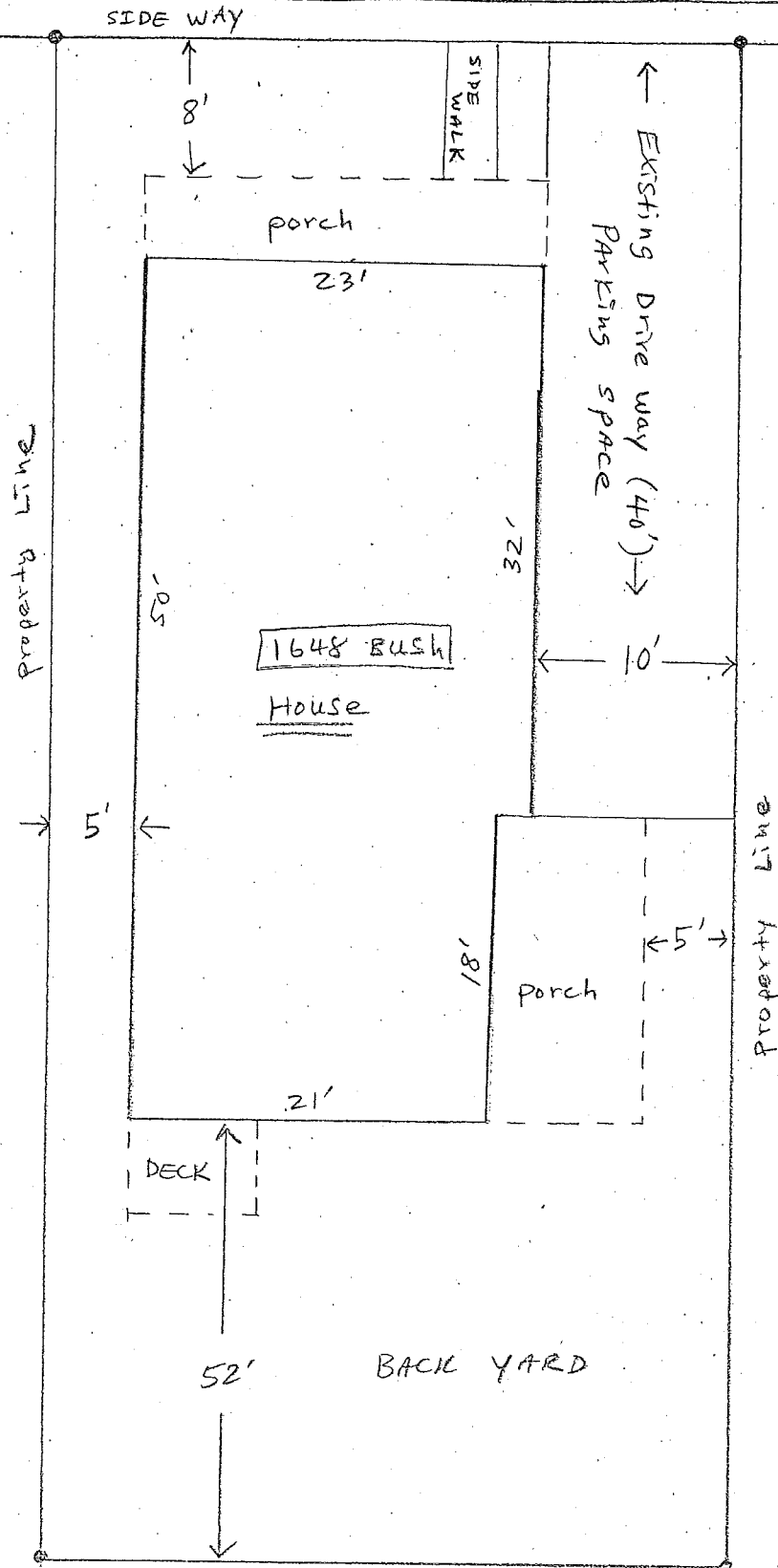
requiring a nonconforming use permit, along with any relevant site plans, diagrams, or other documentation.

We consent to the approval of this application as it was explained to us by the applicant or his/her representative.

ADDRESS OR PIN	RECORD OWNER	SIGNATURE	DATE
1656 Bush Ave	Kenny Archambault	Kenny Archambault	4/13/10
1645 Rooney Ave	Breidan Murray	Breidan Murray	4/13/10
1635 Rooney Ave	Johanna Meyer	Johanna Meyer	4/13/10
1641 Bush Ave	Norman Stratton	Norman Stratton	4-13-10
1653 Bush Ave	Walter McGowan	Walter McGowan	4-16-10
1641 Rooney	Brett R Farrell	Brett R Farrell	4/18/10
1645 Bush Ave	Margaret Schuetter	Margaret Schuetter	4/18/10
1657 Bush Ave	Juan McCosmone	Juan McCosmone	4/18/10
1654 Bush Ave	Maureen Angley	Maureen Angley	4/18/10
1638 Bush Ave	Alan Conard	Al Conard	4/20/10
1622 Bush Ave	Monica Mogen	Monica Mogen	4/20/10
1640 Bush	Wendy Vance	Wendy Vance	4/21/10
1657 Rooney	Michelle Marts	Michelle Marts	4/21/10

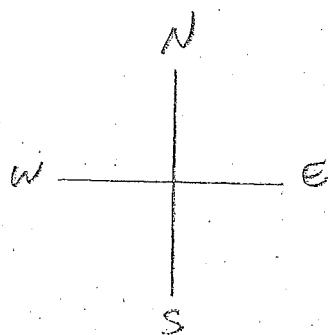
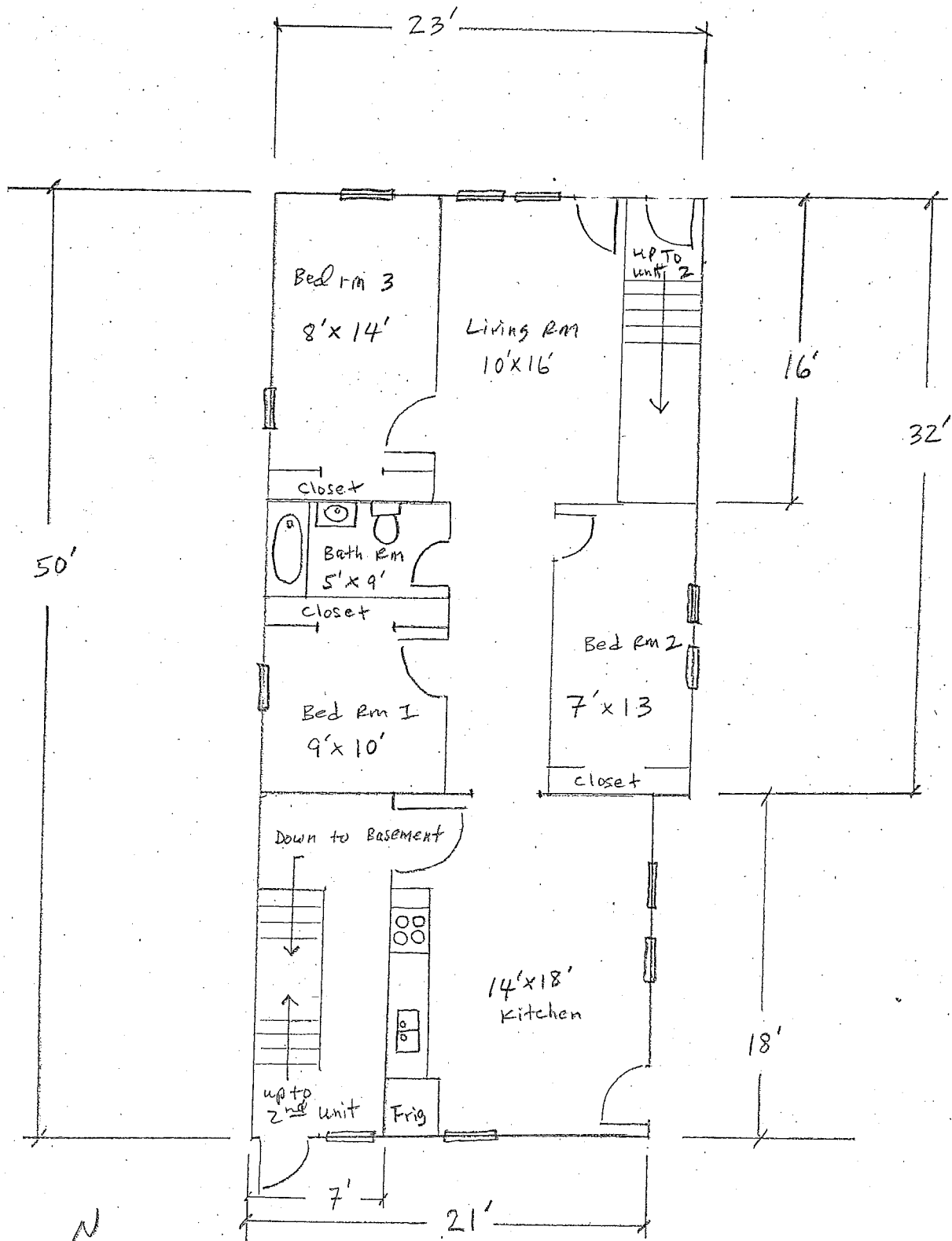
NOTE: All information on the upper portion of this application must be completed prior to obtaining eligible signatures on this petition.

← BUSH ARC →



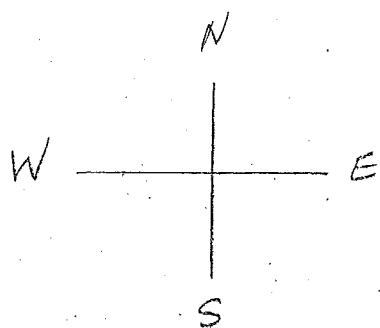
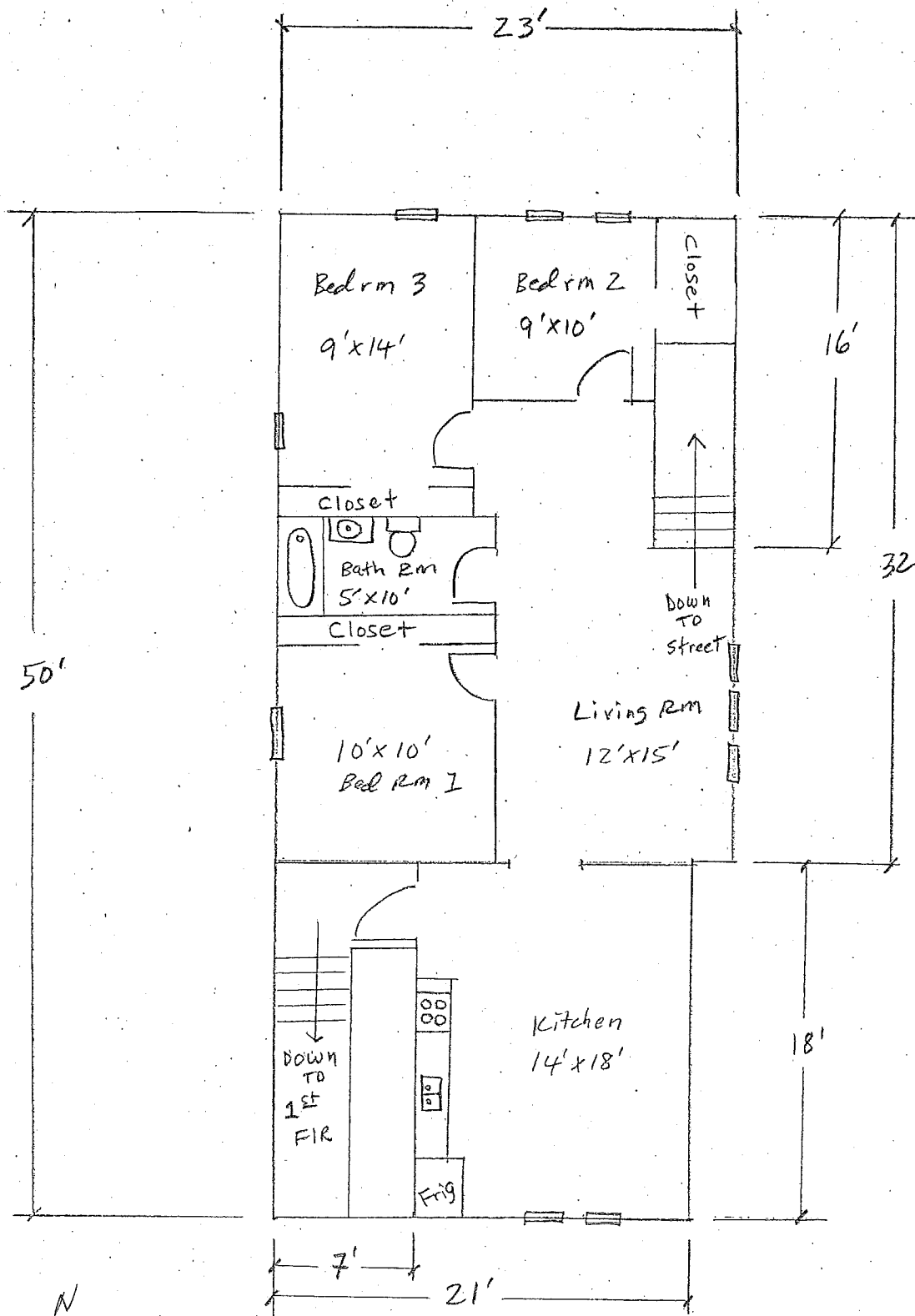
SITE PLAN

SCALE 1" = 9.5'



Unit #1, 1<sup>st</sup> Floor Existing & propose  
 SCALE  $\frac{1}{8}" = 1'$

1648 BUSH AVE



Unit #2, 2<sup>nd</sup> Floor EXISTING & propose  
 scale  $\frac{1}{8}'' = 1'$

1648 Bush Ave

PRO FORMA INFORMATION SHEET  
FOR DUPLEX AND TRIPLEX CONVERSION CASES  
Continuation of Extra Units

Required Information	Single Family	Duplex
	With Continuation of Extra Units in Structure ( <i>owner occupy</i> )	With Conversion of Structure to Legal Number of Units
<u>Income</u>		
Total monthly rent income for all units	0	900
Monthly income from structure other than rent	0	0
Existing vacancy (if any)	0	0
Effective gross income (EGI) / month <sup>1</sup>	\$ 0	\$ 900
Effective Gross Income / year	\$ 0	\$ 10,800
<u>Operating Expenses (Annual) <sup>2</sup></u>	\$ 7,800	\$ 11,300
Maintenance	2,000	3,000
Insurance	800	1,200
Utilities (only include amount paid by landlord)	water, trash 900	water, trash 1,800
Other (identify)	equal 1,200	equal 2,400
Taxes	2,900	2,900
Net Operating Income (Annual) <sup>3</sup>	\$ (7,800)	\$ (500)
Monthly debt / mortgage payment	220	220
Annual debt payment	\$ 2,640	\$ 2,640
<u>Rehab projects</u>		
Total cost of improvements	30,000	35,000
Monthly rehab debt payment	250	280
Annual rehab debt payment	\$ 3,000	\$ 3,360
Cash Flow: profit, (loss) <sup>4</sup>	\$ (13,440)	\$ (650)

NOTE: 1. Effective Gross Income = (Total rent income) - (Vacancy, if there is any)

2. Operating expenses are the sum of the next five lines, incl maintenance, insurance, utilities, taxes and others

3. Net Operating Income = (Effective Gross Income) - (Operating Expenses)

4. Cash Flow = (Net Operating Income) - (Annual debt payment)

**SUMMARY INFORMATION SHEET  
FOR DUPLEX AND TRIPLEX COVERSON CASES**

Housing unit breakdown:	Existing	Proposed
Number of units	1	2
Number of bedrooms in each unit		
Unit 1	6	3
Unit 2		3
Unit 3		
Size of each unit in square feet		
Unit 1	2228 sq	1114 sq
Unit 2		1114 sq
Unit 3		
Debt:		
Initial principal amount	27,500	
Initial interest rate	8.75%	
Term of mortgage/debt financing	10 yr balloon	
Time remaining on note	10 yr	
Balance on existing debt	27,500	
Rehabilitation		
Type of Improvements:		
siding, windows, flooring, doors,		
appliances, plumbing, heating,		
electrical, cabinets, paint,		
roofing, decking, driveway,		
and landscape		

*single / duplex*

STAMP Property Activity History

Address	In Date	ID #	Status	Type	Description
1648 Bush Ave	4/22/2010	<u>10 310741</u>	Pending	PC - Planning Commission Cases - Nonconforming Use Permit-Reestablishment - Duplex	Applicant: Mr Shinbay Yang - Re-establishment of nonconforming use as a duplex
1648 Bush Ave	4/15/2010	<u>10 250737</u>	Open	RE - Real Estate Assessments	Owner: Shinbay Yang
1648 BUSH AVE APT LOWER - HISTORIC/ARCHIVED - Archived 11/2009	4/15/2010	<u>10 250737</u>	Open	RE - Real Estate Assessments	Owner: Shinbay Yang
1648 Bush Ave	3/30/2010	<u>10 129312</u>	Finalized	EG - Fire Engineering - Hazardous Materials - Tank Removal	Owner: Shinbay Yang - REMOVE 1 AMERICAN STEEL 265 GALLON FUEL OIL TANK.
1648 Bush Ave	3/15/2010	<u>10 121785</u>	Active/Issued	B - Building Permit - 2-Family/Duplex - Repair	Contractor: Palace Construction Inc - The following "Trade" Permits are required for this project: Electrical, W.Air Vent, Plumbing,
1648 Bush Ave	3/12/2010	<u>10 121028</u>	Withdrawn	B - Building Permit - 2-Family/Duplex - Repair	Contractor: Shinbay Yang - 03/12/2010 Withdraw permit by Shinbay Yang the owner. z1
1648 Bush Ave	6/16/2009	<u>09 088876</u>	Closed	PA - Parks Summary Abatement - Tall Grass	Owner: Edmond K Brouillet/Kimberly D Brouillet - Remove all tall Grass and weeds on the property
1648 Bush Ave	6/10/2009	<u>09 085735</u>	Resolved	CS - CSO Complaint - Tall Grass - Complaint	TGW
1648 Bush Ave	1/20/2009	<u>09 011350</u>	Resolved	CS - CSO Complaint - Snow Walk - Complaint	snow walk
1648 Bush Ave	9/15/2008	<u>08 150049</u>	Closed	PA - Parks Summary Abatement - Tall Grass	Owner: Edmond K Brouillet/Kimberly D Brouillet - Tall Grass and weeds on the property
1648 Bush Ave	9/8/2008	<u>08 146284</u>	Resolved	CS - CSO Complaint - Tall Grass - Complaint	TGW 326
1648 Bush Ave	7/22/2008	<u>08 119076</u>	Closed	PA - Parks Summary Abatement - Garbage Rubbish	Owner: Edmond K Brouillet/Kimberly D Brouillet - Remove all brush overgrowing sidewalk on NE corner.
1648 Bush Ave	7/15/2008	<u>08 114780</u>	Closed	PA - Parks Summary Abatement - Tall Grass	Owner: Edmond K Brouillet/Kimberly D Brouillet - Tall Grass and weeds on the property
1648 Bush Ave	7/8/2008	<u>08 110353</u>	Resolved	CS - CSO Complaint - Tall Grass - Complaint	TGW 326
1648 Bush Ave	5/28/2008	<u>08 082361</u>	Closed	PA - Parks Summary Abatement - Tall Grass	Owner: Edmond K Brouillet/Kimberly D Brouillet - Tall Grass and weeds on the property
1648 Bush Ave	5/20/2008	<u>08 078245</u>	Resolved	CS - CSO Complaint - Tall Grass - Complaint	TGW - 331
1648 Bush Ave	4/3/2008	<u>08 052843</u>	Resolved	CS - CSO Complaint - Exterior - Complaint	There are two cars in the driveway that are inoperable with expired tabs. The bushes are overgrown.

STAMP - 1



STAMP Property Activity History

Address	In Date	ID #	Status	Type	Description
1648 Bush Ave	1/9/2008	08 005668	Closed	PA - Parks Summary Abatement - Snow Ice	Owner: Edmond K Brouillet/Kimberly D Brouillet - Remove snow and ice from public sidewalk full width, salt and sand as needed.
1648 Bush Ave	12/28/2007	07 227611	Resolved	CS - CSO Complaint - Snow Walk - Complaint	snow walk
1648 Bush Ave	12/19/2007	07 221586	Closed	PA - Parks Summary Abatement - Snow Ice	Owner: Edmond K Brouillet/Kimberly D Brouillet - Remove snow and ice from public sidewalk full width, salt and sand as needed.
1648 Bush Ave	10/29/2007	07 184139	Closed	PA - Parks Summary Abatement - Garbage Rubbish	Owner: Edmond K Brouillet/Kimberly D Brouillet - Remove all refuse.
1648 Bush Ave	10/29/2007	07 184121	Closed	PA - Parks Summary Abatement - Garbage Rubbish	Owner: Edmond K Brouillet/Kimberly D Brouillet - Remove garbage including container from blvd and yard.
1648 Bush Ave	9/17/2007	07 147582	Closed	PA - Parks Summary Abatement - Garbage Rubbish	Owner: Edmond K Brouillet/Kimberly D Brouillet - Remove debris from yard/blvd.
1648 Bush Ave	9/17/2007	07 147583	Closed	PA - Parks Summary Abatement - Tall Grass	Owner: Edmond K Brouillet/Kimberly D Brouillet - Tall Grass and weeds on the property include blvd.
1648 Bush Ave	9/12/2007	07 146028	Active/Issued	VB - Vacant Building - Category 3 - Duplex	Stated Owner: Bank Of America C/O Roxie - Vacant Building Monitoring 11/19/2009: The buyer submitted an affidavit requiring the conversion of the structure to a single-family dwelling. RS
1648 Bush Ave	9/12/2007	07 146029	Open	VF - Vacant Building Fee - Category 3 - Duplex	Owner: Shinbay Yang - VB Fee
1648 Bush Ave	9/12/2007	07 146027	Under Review	CS - CSO Complaint - Vacant Building Monitoring - Complaint	Vacant Building Monitoring 10/23/2007 trash bin withgarbage on blvd 04-02-08 Placards are no longer posted. 7/7/08 window on the first and second floor is open, possible squatters. 07-10-08 Property not secure, bushes are overgrown -Possibly squatters, SPRW Shut Off List 08/21 12/30/09 SPRW shut off list dated 12/21/09
1648 Bush Ave	8/9/2007	07 129900	Resolved	CS - CSO Complaint - Certificate of Occupancy - Complaint	Gas/Electric shut off per Xcel Energy
1648 Bush Ave	4/27/2007	07 068925	Closed	RF - Referral - Citizen Complaint	Owner: Edmond K Brouillet/Kimberly D Brouillet - No Screens, a few windows broke out, foundation bad, front porch is in bad shape, roof is bad, interior is in bad shape
1648 Bush Ave	4/27/2007	07 068924	Closed	CS - CSO Complaint - Certificate of Occupancy - Complaint	No Screens, a few wihdows broke out, foundation bad, front porch is in bad shape, roof is bad, interior is in bad shape

STAMP Property Activity History

Address	In Date	ID #	Status	Type	Description
1648 Bush Ave	3/26/2007	07 050936	Closed	RF - Referral - Citizen Complaint	Owner: Edmond K Brouillet/Kimberly D Brouillet - Allegedly, water is shut off on property. Residents are using neighbors' facilities.
1648 Bush Ave	3/26/2007	07 050935	Closed	CS - CSO Complaint - Shut Off - Complaint	Allegedly, water is shut off on property. Residents are using neighbors' facilities.
1648 Bush Ave	3/3/2007	07 036401	Condemned/Vacant	CO - Certificate of Occupancy - Residential 2 Units	Responsible Party: Edmond K Brouillet
1649 BUSH AVE APT LOWER - HISTORIC/ARCHIVED - Archived 11/2009	3/3/2007	07 036401	Condemned/Vacant	CO - Certificate of Occupancy - Residential 2 Units	Responsible Party: Edmond K Brouillet
1648 Bush Ave	2/6/2007	07 019091	Closed	PA - Parks Summary Abatement - Snow Ice	Owner: Edmond K Brouillet/Kimberly D Brouillet - Remove snow and ice from public sidewalk-full width salt and sand as needed. Snow on walk
1648 Bush Ave	1/30/2007	07 015635	Closed	CS - CSO Complaint - Snow Walk - Complaint	House in disrepair, and junk all along the side
1648 Bush Ave	9/6/2006	06 133332	Closed	CS - CSO Complaint - Exterior - Complaint	Unshoveled walk
1648 Bush Ave	1/4/2006	06 001161	Closed	CS - CSO Complaint - Snow Walk - Complaint	Evaluator: Richard Olson DANRICH Inspection Services
1648 Bush Ave	11/21/2005	05 202615	History	TH - Truth In Sale of Housing Inspection - Duplex	Garbage/Rubbish, Accessory structure, Maintenance Exterior
1648 Bush Ave	10/3/2005	05 166669	Closed	CS - CSO Complaint - Exterior - Complaint	Contractor: David Pearl Schwantes Heating & Air Inc - 12-Oct-2005: Folder closed by system due to no activity in one year. Closed without final approval
1648 Bush Ave	4/8/2004	04 068957	Closed without Approval	M - Mechanical Permit - Gas - Residential Replace	Contractor: David Pearl Schwantes Heating & Air Inc - Closed without final approval
1648 Bush Ave	4/8/2004	04 068950	Closed without Approval	W - Warm Air, Ventilation & General Sheet - Warm Air Only - Residential Replace	RR Stated Owner: Edmond K Brouillet - 03/03/2007: RR-CO Conversion: Folder status changed to History.
1648 Bush Ave	1/15/2004	04 027586	History	RR - Rental Registration - Duplex	Evaluator: Scott Scheunemann Scheunemann Home Services, Inc
1648 Bush Ave	11/13/2003	03 395170	History	TH - Truth In Sale of Housing Inspection - Duplex	No trash pickup service--piling up on porch & in back yard. Duplex infested with roaches. Owner is not living here & is not renting to relatives. 10/31/03 time: Property in disrepair--roof, gutter/downspouts, mold/moss on porch roof, etc.
1648 Bush Ave	10/31/2003	03 386315	Closed	CS - CSO Complaint - Exterior - Complaint	Tall grass
1648 Bush Ave	7/24/2003	03 331547	Closed	CS - CSO Complaint - Tall Grass - Complaint	Tall grass & weeds.
1648 Bush Ave	6/3/2003	03 309395	Closed	CS - CSO Complaint - Tall Grass - Complaint	Trash in rear.
1648 Bush Ave	5/6/2003	03 295769	Closed	CF - CSO Information Request - Information - Phone	property ownership
1648 Bush Ave	5/6/2003	03 295759	Closed	CS - CSO Complaint - Permit - Complaint	Former resident (property owner) black topped part of yard without putting in access to it

STAMP Property Activity History

Address	In Date	ID #	Status	Type	Description
1648 Bush Ave	5/6/2003	03 295758	Closed	CS - CSO Complaint - Ordinance Enforcement - Complaint	Driving over curb and blvd to park in yard. (lj)
1648 Bush Ave	4/4/2003	03 277560	Closed	CS - CSO Complaint - Zoning - Complaint	Parking in the required yard. This is a duplex - setback of 9 feet.
1648 Bush Ave	12/16/2002	02 245588	Closed without Approval	PL - Plumbing & Gas Fitting (OLD) - Gasfitting Only - Residential Repair/Alter	Contractor: John Arendt Soderlin Plbg & Htg - 27-Oct-2005: Folder closed by system due to no activity in one year.
1648 Bush Ave	7/12/2002	02 138303	Closed	CS - CSO Complaint - Interior - Complaint	Closed without final approval No grass on boulevard, dirt runs down sidewalk. Started painting exterior of bldg one year ago, never finished - two colors. Garbage all over yard all of the time.
1648 Bush Ave	11/7/2001	01 234235	Finald	PL - Plumbing & Gas Fitting (OLD) - Gasfitting Only - Residential Repair/Alter	Contractor: Mcguire And Sons Plumbing And Heating
1648 Bush Ave	8/30/2001	01 221475	Closed without Approval	M - Mechanical Permit - Gas - Residential Replace	Contractor: Mcguire And Sons Plumbing And Heating - Closed without final approval
1648 Bush Ave	11/6/1995	02 188459	History	TH - Truth In Sale of Housing Inspection - Duplex	Evaluator: Ray Hentschel - Closed Folder on expiration date.



CITY OF SAINT PAUL  
Christopher B. Coleman, Mayor

375 Jackson Street, Suite 220  
Saint Paul, Minnesota 55101-1806

Telephone: 651-266-8989  
Facsimile: 651-266-9124  
Web: [www.stpaul.gov/dsi](http://www.stpaul.gov/dsi)

## Code Compliance Report

August 31, 2009

BANK OF AMERICA C/O ROXIE  
2163 NORTHDAL BLVD  
ST PAUL MN 55106

Re: 1648 Bush Ave  
File#: 07 146028 VB2

Dear Property Owner:

The following is the Code Compliance report you requested on August 03, 2009.

Please be advised that this report is accurate and correct as of the date August 31, 2009. All deficiencies identified by the City after this date must also be corrected and all codes and ordinances must be complied with. This report is valid for 365 days from August 31, 2009. This report may be used in lieu of a Truth in Housing Report required in St Paul Legislative Code 189. This building must be properly secured and the property maintained at all times.

In order to sell or reoccupy this property the following deficiencies must be corrected:

**BUILDING**                      **Inspector: Ken Eggers**                      **Phone: 651-266-9047**

- Insure basement cellar floor is even, cleanable and all holes are filled
- Permanently secure top and bottom of support posts in an approved manner
- Cover water meter pit with concrete or decay resistant, screw down cover
- Maintain one hour fire separation between dwelling units and between units and common areas
- Relocate 2nd floor electrical panel to 2nd floor unit or to common area; or protect panel and access corridor leading from common area to panel with 1 hour fire rated enclosure.
- Install handrails and guardrails at all stairways, including basement stairways, and return handrail ends to the wall or newel post per attachment.
- Strap or support top of stair stringers
- Install tempered or safety glass in window over stair landing to code
- Install tempered or safety glass in window over stairway to code
- Install tempered or safety glass in window over bathtub to code
- Repair or Replace any deteriorated window sash, broken glass, sash holders, re-putty, etc as necessary
- Provide complete storms and screens, in good repair for all door and window openings
- Provide and operable latching device for all windows

Re: 1648 Bush Ave

Page 2

**BUILDING**

**Inspector: Ken Eggers**

**Phone: 651-266-9047**

- Provide thumb type deadbolts for all entry doors. Remove any surface bolts
- Repair or replace damaged doors and frames as necessary, including storm doors
- Install floor covering in bathroom and kitchen that is impervious to water
- Repair walls, ceiling and floors throughout, as necessary
- Prepare and paint interior and exterior as necessary. Observe necessary abatement procedure if lead base paint is present (See St Paul Legislative Code, Chap. 34 for additional information).
- Any framing members that do not meet code (where wall and ceiling covering is removed, members that are over-spanned, not being carried properly, door and window openings that are not adequately supported, etc.) are to be reconstructed in an approved manner
- Where wall and ceiling covering is removed install full thickness or code-specified insulation
- Install attic insulation according to applicable code
- Air-seal and insulate attic access door in an approved manner
- Provide smoke detectors per the MN Building Code and carbon monoxide detectors per State Law.
- Install water-proof enclosure in shower area
- Provide weather sealed, air sealed and vermin sealed exterior
- Replace or repair landing and stairway per code
- Repair siding, soffit, fascia, trim, etc. as necessary
- Install rain leaders to direct drainage away from foundation.
- Close in open stair risers to maintain an opening no greater than 4 inches
- A building permit is required to correct the above deficiencies
- Install risers at front steps, install guardrail and handrail at front steps to code.
- Install green pressure treated blocking at existing front porch footings on top of concrete footing. Re-level front porch.
- Weather seal around basement windows, install new windows where boarded over to meet ventilation requirement.
- Remove carpeting throughout building.
- Replace broken tread at front entry going up to second floor unit.
- Install risers, guardrail and handrail to code at rear and side entry decks.
- Remove and replace damaged and rotted deck boards, joists and blocking at bottom of deck columns at side entry deck. Provide green pressure treated lumber under rim joists to concrete piers. Re-level deck completely.
- Install skirting under all decks and re-install skirting at front porch deck.
- Scrape, prime and paint exterior of house.
- Remove nuisance trees next to house foundation.
- Repair bottom concrete step at front entry stairs at city sidewalk.

Re: 1648 Bush Ave

Page 3

**ELECTRICAL**

**Inspector: Dan Moynihan**

**Phone: 651-266-9036**

- Ground the electrical service to the water service with a copper conductor within 5 feet of the entrance point of the water service
- Bond around water meter with a copper wire sized for the electrical service per Article 250 of the NEC
- Provide a complete circuit directory at service panel indicating location and use of all circuits
- Verify that fuse/circuit breaker amperage matches wire size
- Close openings in service panel/junction box with knock out seals, breaker blanks and/or junction boxes
- Ground bathroom light in basement/first bathroom/second bathroom and disconnect receptacle on fixture
- Install globe-type enclosed light fixture on all closet lights
- Repair or Replace all broken, missing or loose light fixtures, switches and outlets, covers and plates
- Check all outlets for proper polarity and verify ground on 3-prong outlets
- Install hard-wired, battery backup smoke detector per bulletin 80-1 and other smoke detectors as required by the IRC. Also, Install carbon monoxide detector(s) within 10 feet of all bedrooms
- Remove and or/ re-wire all illegal, improper or hazardous wiring in basement/garage
- Check building write-up for fire resistance requirements if both panels are in the common area in a basement or move 2nd unit electrical panel board to the second unit
- Insure newer wiring in panels is properly wired. Purchase permit for at least 8 circuits.
- All added receptacles must be grounded, tamper-resistant and be on an Arc-Fault Circuit Interrupter-protected circuit.
- All electrical work must be done by a Minnesota-licensed electrical contractor under an electrical permit.
- Any open walls or walls that are opened as part of this project must be wired to the standards of the 2008 NEC.
- All buildings on the property must meet the St. Paul Property Maintenance Code (Bulletin 80-1).

**PLUMBING**

**Inspector: Steve Fernlund**

**Phone: 651-266-9052**

- Basement - Water Heater - not fired or in service
- Basement - Water Meter - raise meter to a minimum 12 inches above floor
- Basement - Water Meter - remove meter from pit
- Basement - Water Meter - support meter properly
- Basement - Water Piping - repair or replace all corroded, broken or leaking piping
- Basement - Soil and Waste Piping - improper connections, transitions, fittings or pipe usage
- Basement - Soil and Waste Piping - improper pipe supports
- Basement - Soil and Waste Piping - replace corroded cast iron or steel waste piping

Re: 1648 Bush Ave  
Page 4

**PLUMBING**

**Inspector: Steve Fernlund**

**Phone: 651-266-9052**

- Basement - Laundry Tub - waste incorrect
- First Floor - Kitchen - Sink - faucet is missing, broken or parts missing
- First Floor - Gas Piping - range gas shut off; connector or piping incorrect
- First Floor - Lavatory - waste incorrect
- First Floor - Toilet Facilities - incorrectly vented
- First Floor - Tub and Shower - waste incorrect
- Second Floor - Kitchen - Sink - waste incorrect
- Second Floor - Gas Piping - range gas shut off; connector or piping incorrect
- Second Floor - Lavatory - faucet is missing, broken, or parts missing also, provide a stopper.
- Second Floor - Tub and Shower - replace waste and overflow
- Exterior - Lawn Hydrants - Requires backflow assembly or device
- Comments - second floor bathroom appears to be tied into first floor bathroom vent, correct if necessary.

**HEATING**

**Inspector: Gary Stevens**

**Phone: 651-266-9045**

- Install approved lever handle manual gas shutoff valve on all gas appliances and remove unapproved valve. Gas valves to be located within 6 feet of gas appliance.
- Clean and Orsat test furnace/burner. Check all controls for proper operation. Check furnace heat exchanger for leaks; provide documentation from a licensed contractor that the heating unit is safe.
- Replace furnace/boiler flue venting to code.
- Connect furnace/boiler and waste heater venting into chimney liner. Class b venting required from outlet of furnace to chimney with Class B wye for connection of water heater venting.
- Vent clothes dryer to code.
- Provide support for gas lines to code.
- Plug, cap and/or remove all disconnected gas lines.
- Clean all supply and return ducts for warm air heating system.
- Repair and/or replace heating registers as necessary.
- Inspection of furnace in attic required. Provide ladder to gain access to attic area.
- Remove abandoned fuel oil tank in basement. Permit required.
- Gas Warm Air and/or Ventilation mechanical permits are required for the above work.

**ZONING**

1. This property is in a (n) R4 zoning district.
2. This property was inspected as a Duplex.

Re: 1648 Bush Ave  
Page 5

**This property was inspected as a Duplex which is not permitted in this zoning district; this property may be a non-conforming use and will require zoning approval before a sale can be approved, any permits may be issued or any work on the property is started.**

**Notes:**

- See attachment for permit requirements and appeals procedure.
- Most of the roof covering could not be inspected from grade. Recommend this be done before rehabilitation is attempted.

**This is a registered vacant building. In order to sell or reoccupy this building, all deficiencies listed on this code compliance report must be corrected within six (6) months of the date of this report. One (1) six-month time extension may be requested by the owner and will be considered if it can be shown that the code compliance work is proceeding and is more than fifty (50) percent complete in accordance with Legislative Code Section 33.03(f).**

You may file an appeal to this notice by contacting the City Clerk's Office at 651-266-8688. Any appeal must be made in writing within 10 days of this notice. (You must submit a copy of this notice when you appeal, and pay a filing fee.)

If you have any questions regarding this inspection report, please contact Ken Eggers between 7:30 - 9:00 AM at 651-266-8989 or leave a voice mail message.

Sincerely,

James L. Seeger  
Code Compliance Officer  
JLS:ml  
Attachments





CITY OF SAINT PAUL  
Christopher B. Coleman, Mayor

DEPARTMENT OF SAFETY AND INSPECTIONS  
Bob Kessler, Director

175 Jackson Street, Suite 220  
St. Paul, Minnesota 55101-1024

Telephone: 651-266-9090  
Facsimile: 651-266-9099  
Web: [www.spsd.mn.gov](http://www.spsd.mn.gov)

### Residential Use Affidavit

I, (Printed Name) Shinbay Yang, the undersigned, certify that I will  
own the residence at (address) 1648 Bush Ave in St. Paul, MN.  
as going to  
I purchased this property in (year) 2017 as a (Single Family with one kitchen or Duplex  
with two kitchens).  
Other \_\_\_\_\_

This property will be converted to a (Single family with one kitchen) or Duplex with two  
kitchens)

This property will be has been used since purchase as a (Single family) or Duplex)

Signature (Homeowner) [Signature]

Date 11-17-09

### Zoning Information

(To be filled in by zoning staff only)

Property zoning R4

AMANDA status \_\_\_\_\_

Truth in Housing Info \_\_\_\_\_

Certificate of Occupancy \_\_\_\_\_

History Check \_\_\_\_\_

Address Folder \_\_\_\_\_

Ramsey County \_\_\_\_\_

Action taken Field inspector will verify removal of 2nd  
floor kitchen and conversion to a single family.

Zoning Staff Karen Zacho

Date 11.20.09

An Affirmative Action Equal Opportunity Employer



CITY OF SAINT PAUL  
*Christopher B. Coleman, Mayor*

375 Jackson Street, Suite 220  
Saint Paul, Minnesota 55101-1806

Telephone: 651-266-8989  
Facsimile: 651-266-1919  
Web: [www.stpaul.gov/dsi](http://www.stpaul.gov/dsi)

November 20, 2009

Shinbay Yang  
921 Euclid St  
St Paul MN 55106

Re: 1648 BUSH AVE

Chapter 33 of the Saint Paul Legislative Code restricts the sale of Category II Registered Vacant Buildings. Sale of the above referenced address to Shinbay Yang is approved based on the City's review of the following requirements:

1. Zoning Status Approved.
2. Registration of Ownership Updated.
3. Vacant Building Fees Current.
4. Code Compliance Inspection Report Issued.
5. Cost Estimates from Licensed Contractors for Code Compliance Work Submitted.
6. Schedule for Completion of Code Compliance Work Submitted.
7. Proof of Financial Capability Verified.

If you have any questions regarding this matter, you may contact me at 651-266-9120.

Sincerely,

Reid Soley  
CSO CE Staff

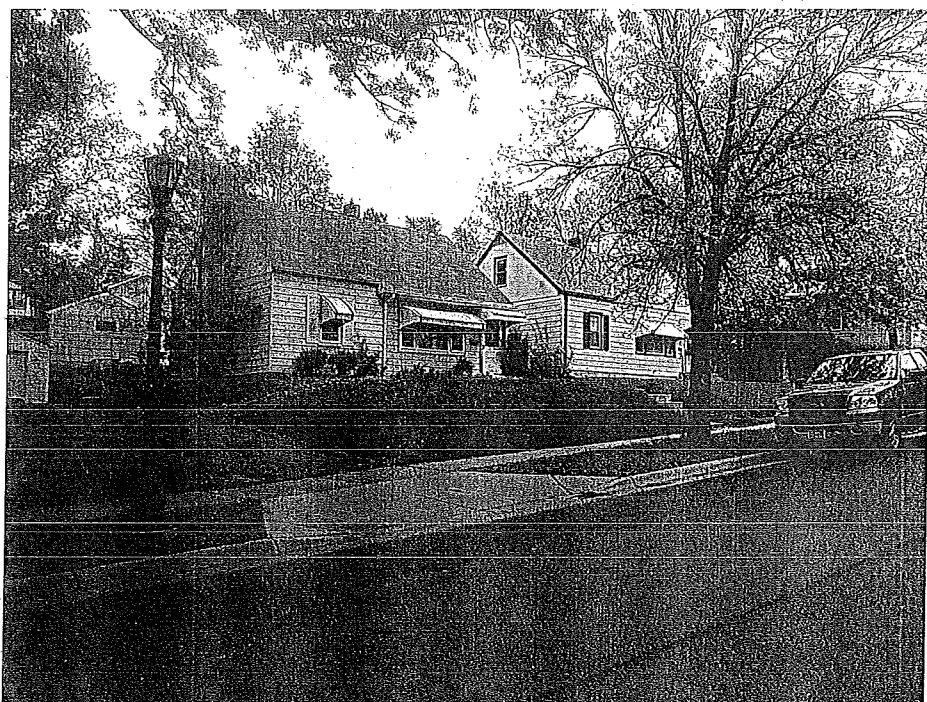
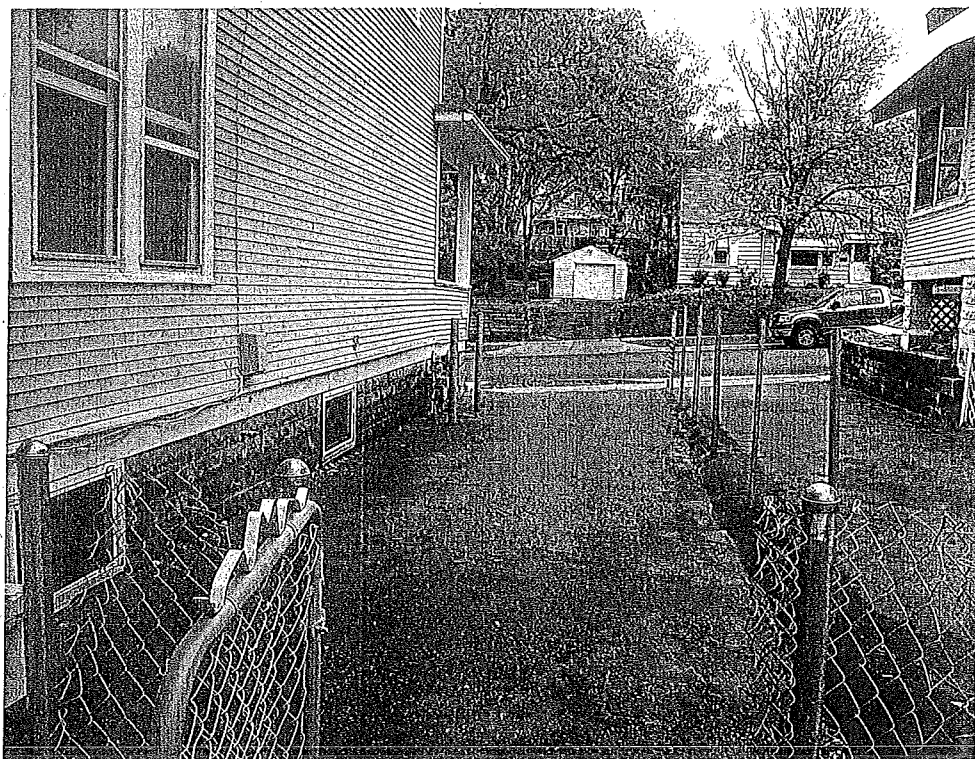
vb33sale60201 11/09

**Fig. 1.** Southwest view of 1648 Bush Ave.



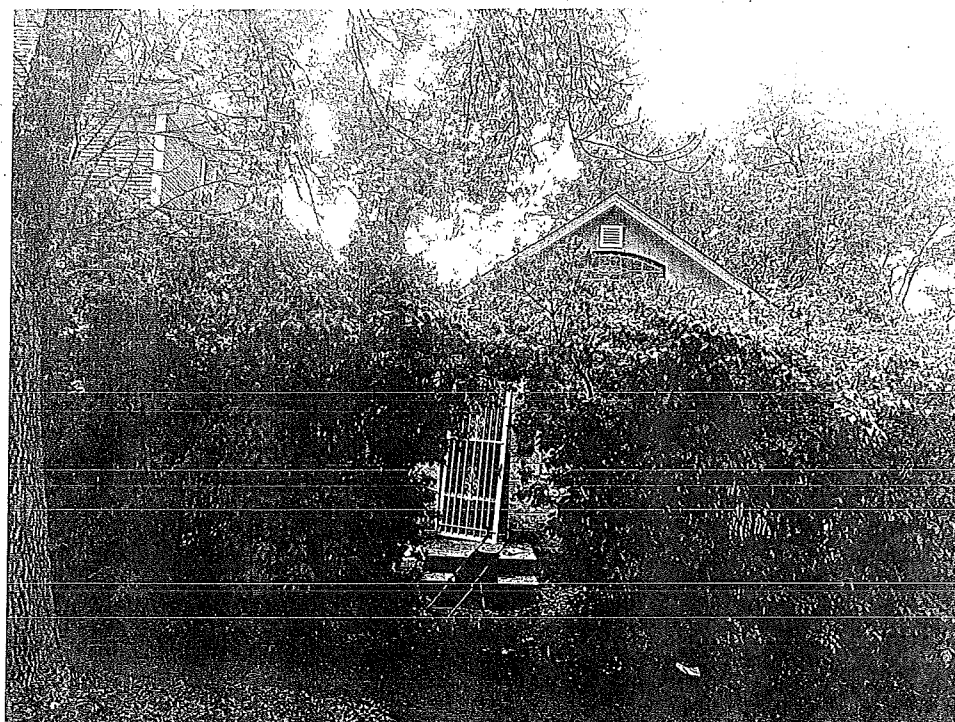
**Fig. 2.** Southward view of eastern property line of 1648 Bush Ave, paved driveway, and lack of curb cut, curb, and gutter

**Fig. 3.** Northward view from end of driveway on 1648 Bush Ave, towards Bush Ave



**Fig. 4.** Northward view of property across the street from 1648 Bush Ave.

**Fig. 5.** Southward view of  
backyard of 1648 Bush Ave  
property (slope, trees, and  
fence)



**Fig. 6.** Southward view of single family  
house to the west of 1648 Bush Ave.



1648 Bush Ave

1648 Bush Ave

[illegible]

Location

1648 Bush Ave

1648 Bush Ave

795

785

III

769 R4

10

1595

594

587 1595

GERMAIN ST

KENNARD ST

**BUSH AVE**

REANEY AVE

ROSS AVE.

[illegible]

## ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** Clearwire (633 Robert) **FILE #** 10-130-112
  2. **APPLICANT:** Clearwire **HEARING DATE:** April 29, 2010
  3. **TYPE OF APPLICATION:** Conditional Use Permit
  4. **LOCATION:** 633 Robert St S Unit 101, between King and Baker
  5. **PIN & LEGAL DESCRIPTION:** 082822230185, Cic No 611 Skyline Condo Unit No.101
  6. **PLANNING DISTRICT:** 3 **PRESENT ZONING:** RM2
  7. **ZONING CODE REFERENCE:** '65.310; '61.501
  8. **STAFF REPORT DATE:** May 5, 2010 **BY:** Sarah Zorn
  9. **DATE RECEIVED:** March 29, 2010 **60-DAY DEADLINE FOR ACTION:** June 1, 2010
- 

- A. **PURPOSE:** Conditional use permit for wireless communication antenna on a residential structure less than 60 feet high.
- B. **PARCEL SIZE:** 46,500 sq. ft.; Irregular parcel with 250 ft. of frontage on Robert Street
- C. **EXISTING LAND USE:** R-Multi-Family
- D. **SURROUNDING LAND USE:**
  - North: Single and two-family residential (RT1)
  - East: Single and two-family residential (RT1)
  - South: Single and two-family residential (RT1)
  - West: Single and two-family residential (RT1)
- E. **ZONING CODE CITATION:** §65.310 requires a conditional use permit for cellular telephone antennas on a residential structure less than 60 ft. high, and provides specific standards and conditions for cellular telephone antennas; §61.501 lists general conditions that must be met by all conditional uses.
- F. **HISTORY/DISCUSSION:** In December of 1997 the Planning Commission approved a special conditional use permit to allow Sprint to install a cellular antenna on the rooftop of this building subject to the condition that the switching equipment be painted to blend in with the color of the building (#97-301). The antenna is still operational and remains in place.
- G. **DISTRICT COUNCIL RECOMMENDATION:** The District 3 Council had not commented at the time this report was prepared.
- H. **FINDINGS:**
  1. The applicant, Clearwire, seeks to install antennas and equipment to provide wireless broadband service in this area. The Department of Safety and Inspections issued a Determination of Similar Use statement in December of 2009 determining that a broadband data service provider is substantially similar in character to traditional cellular telephone service.
  2. §65.310 defines 'cellular telephone antenna', requires a conditional use permit for cellular telephone antennas on a residential structure less than 60 feet high, and lists the following standards and conditions with which they must comply:
    - (a) *In residential districts, a conditional use permit is required for cellular telephone antennas on a residential structure less than sixty (60) feet high. In residential, traditional neighborhood and business districts, a conditional use permit is required for cellular telephone antennas on a freestanding pole, except for existing utility poles. In residential and traditional neighborhood districts, existing utility poles to which cellular telephone antennas are attached shall be at least sixty (60) feet high. This condition is met. An application for a conditional use permit has been made for a wireless communication antenna on a residential structure less than 60 feet high.*
    - (b) *In residential, traditional neighborhood, and OS--B3 and B5 business districts, the antennas shall not extend more than fifteen (15) feet above the structural height of the structure to which they are attached. In B4 Business and Industrial Districts, the antennas shall not*



extend more than forty (40) feet above the structural height of the structure to which they are attached. This condition is met. The top of the proposed antenna will be exactly fifteen feet above the structural height of the structure.

- (c) *For antennas proposed to be located on a residential structure less than sixty (60) feet high in residential districts, or on a new freestanding pole in residential, traditional neighborhood, and business districts, the applicant shall demonstrate that the proposed antennas cannot be accommodated on an existing freestanding pole, an existing residential structure at least sixty (60) feet high, an existing institutional use structure, or a business building within one-half ( 1/2) mile radius of the proposed antennas due to one (1) or more of the following reasons:*

- (1) The planned equipment would exceed the structural capacity of the existing pole or structure.*
- (2) The planned equipment would cause interference with other existing or planned equipment on the pole or structure.*
- (3) The planned equipment cannot be accommodated at a height necessary to function reasonably.*
- (4) The owner of the existing pole, structure or building is unwilling to co-locate an antenna.*  
This condition is met. The applicant has provided a map showing buildings within one half mile of the proposed antenna site, and explained why the proposed antenna cannot be accommodated on existing structures in the area.

- (d) *In residential, traditional neighborhood and business districts, cellular telephone antennas to be located on a new freestanding pole are subject to the following standards and conditions: The proposed antenna is not a freestanding design.*

- (e) In industrial districts, cellular telephone antennas on a freestanding pole shall not exceed one hundred fifty (150) feet in height, shall not be located in a required front or side yard, and shall be set back one (1) times the height of the antenna plus ten (10) feet from the nearest residential structure. This condition does not apply.*
- (f) Antennas located in historic districts shall be subject to review and approval of the heritage preservation commission. This condition does not apply.*
- (g) Freestanding poles shall be a monopole design. This condition does not apply.*
- (h) Transmitting, receiving and switching equipment shall be housed within an existing structure whenever possible. If a new equipment building is necessary, it shall be permitted and regulated as an accessory building, section 63.500, and screened from view by landscaping where appropriate. This condition is met. The applicant is proposing to mount an equipment cabinet to the existing elevator penthouse, minimizing its visibility from the street.*
- (i) Cellular telephone antennas that are no longer used for cellular telephone service shall be removed within one (1) year of nonuse. This condition is met. The applicant has agreed to abide by this condition.*

3. §61.501 lists five standards that all conditional uses must satisfy:

- (1) The extent, location and intensity of the use will be in substantial compliance with the Saint Paul Comprehensive Plan and any applicable subarea plans which were approved by the city council. This condition is met. The Comprehensive Plan refers to the importance of ensuring investments in local and regional infrastructure supportive of economic development.*
- (2) The use will provide adequate ingress and egress to minimize traffic congestion in the public streets. This condition is met. Access to the equipment cabinet for maintenance purposes will not have an impact on traffic congestion in the public streets.*
- (3) The use will not be detrimental to the existing character of the development in the immediate neighborhood or endanger the public health, safety and general welfare. This condition is*

met. The use will not alter the existing character of development in the area and will improve the general welfare by expanding wireless communication capabilities in the area.

(4) *The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.* This condition is met. The use will not impede the development or improvement of surrounding properties.

(5) *The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.* This condition is met. The construction, operation and maintenance of the antenna will conform to all applicable district regulations.

- I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the Conditional Use permit for wireless communication antenna on a residential structure less than 60 feet high subject to the condition that if the antenna is no longer used for cellular phone/wireless communication services it shall be removed within one year as required in section 65.310(i).



# CONDITIONAL USE PERMIT APPLICATION

Department of Planning and Economic Development  
Zoning Section  
1400 City Hall Annex  
25 West Fourth Street  
Saint Paul, MN 55102-1634  
(651) 266-6589

Zoning office use only

File # 10-130112

Fee: 750<sup>00</sup>

Tentative Hearing Date:

4-29-10

PD=3

# 082822230185

## APPLICANT

Name Clearwire  
Address 7400 Metro Blvd, Suite 260  
City Edina St. MN Zip 55439 Daytime Phone (952) 831-1043  
Name of Owner (if different) Troy DeWitt  
Contact Person (if different) Steven Kenny Phone (952) 831-1043

## PROPERTY LOCATION

Address / Location 633 Robert Street South  
Legal Description See attached legal description  
Current Zoning RM-2  
(attach additional sheet if necessary)

TYPE OF PERMIT: Application is hereby made for a Conditional Use Permit under provisions of  
Chapter 65, Section 310, Paragraph a of the Zoning Code.

SUPPORTING INFORMATION: Explain how the use will meet all of the applicable standards and conditions. If you are requesting modification of any special conditions or standards for a conditional use, explain why the modification is needed and how it meets the requirements for modification of special conditions in Section 61.502 of the Zoning Code. Attach additional sheets if necessary.

Supporting information has been attached.

☒ Required site plan is attached

Applicant's Signature Steven A. Kenny Date 3/29/10 City Agent pdd

3-29-10

CLK  
00188127  
750<sup>00</sup>



FMHC Corporation  
1535 N. Elston Avenue  
Chicago, IL 60622

www.fmhc.com  
phone 773 395 8800  
fax 773 395 3464

March 17, 2010

City of St. Paul  
PED – Zoning Section  
1400 City Hall Annex  
25 W. 4<sup>th</sup> St.  
St. Paul, MN 55102-1634

Re: Conditional Use Permit Application  
Clearwire Site#: MN-MSP0129  
Address: 633 Robert Street South

Dear PED:

Attached please find a Conditional Use Permit application along with a check for the application fee in the amount of \$750.00. Enclosed with the application is the legal description, supporting information, site plans, map with legend of properties within ½ mile radius, and site simulation photos.

The purpose of this CUP application is for Clearwire to install antennas, and accompanying ground equipment at 633 Robert Street South. The location of the site was selected to provide WIMAX service and optimal coverage at the highest available Rad center available.

If you have any questions or are in need of further information, please do not hesitate to contact me at (952) 831-1043.

Respectfully Submitted,

Steven A. Kenny  
Site Acquisition Specialist

Enclosures

LJC/wo

## SUPPORTING INFORMATION

### Code Requirements:

*The extent, location and intensity of the use will be in substantial compliance with the Saint Paul Comprehensive Plan and any applicable subarea plans which were approved by the city council.*

This use will be the location of antennas upon a 5 story apartment building with the accompanying equipment next to a the elevator penthouse, The antennas were placed as to not be visible from the major streets (i.e. Robert Street South)

*The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.*

This use will not have any affects on the public streets

*The use will not be detrimental to the existing character of the development in the immediate neighborhood or endanger the public health, safety and general welfare.*

Although this site is currently zoned as a RM-2, the existing character of the immediate neighborhood is Residential with homes along Robert Street South. Residential areas fully surround the property. Installation of the antenna will actually improve the public health, safety and welfare by providing WIMAX service in the area.

*The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.*

This use will have no impact upon the development and improvement of the surrounding property other than to provide the properties with higher quality wireless WIMAX communication services.

*The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.*

It is the policy of Clearwire to comply with all laws and regulations. In addition to the district regulations, Clearwire will also comply with state and federal laws and regulations regarding wireless communication services. The proposed use complies with all the special conditions specified in the zoning code. Care was taken in the placement of the antennas on this rooftop in an area of the property furthest from the surrounding major streets and to screen the equipment cabinet in a brick room (painted to match the existing penthouse) in accordance with the spirit and purpose of the zoning code.

The Land is described and/or depicted as follows (metes and bounds description):

APN: 08.28.22.23.0185

**A WRITTEN DESCRIPTION OF THE LAND WILL BE PRESENTED HERE OR ATTACHED HERETO**

Lots 8, 9 and 10, Block 125, Town of West St. Paul, and that part of the South 1/2 of East Elizabeth Street, vacated, lying between the extension across said street of the East and West lines of said Lot 10, Ramsey County, Minnesota.

The East 1/3 of Lots 1, 2 and 3, Block 125, "West St. Paul Proper", together with the South 1/2 of vacated Elizabeth Street lying between the extensions across Elizabeth Street of the East line of Lot 1 and the West line of the East 1/3 of Lot 2, and together with an easement for driveway purposes contained in Document Number 1644744.

Lot 5, except the North 10 feet thereof, Block 112, "West St. Paul Proper", together with that part of the North 1/2 of vacated Elizabeth Street lying between the extensions across Elizabeth Street of the East line of Lot 6 and the West line of Lot 6, Ramsey County, Minnesota

**Sec. 65.235. Recreation, noncommercial.**

Recreational areas including private, noncommercial recreation areas, institutional, municipal or community recreation centers, and nonprofit swimming pool clubs.

*Standards and conditions in residential districts:*

- (a) The proposed site for any of the uses permitted herein shall have at least one (1) property line abutting a major thoroughfare (in definition), and the site shall be so planned as to provide principal access directly to said major thoroughfare.
- (b) All yards shall be landscaped in trees, shrubs and grass. All such landscaping shall be maintained in a healthy condition. There shall be no parking or structures permitted in these minimum yards, except required entrance drives and those walls used to obscure the use from abutting residential districts.
- (c) Whenever a swimming pool is constructed under this subparagraph, said pool area shall be provided with a protective fence, six (6) feet in height, and entry shall be provided by means of a controlled gate.

**Division 3. 65.250. Religious Institutions****Sec. 65.271. Rectory, parsonage.***Condition:*

The use shall be associated with a church, chapel, synagogue, temple or other similar house of worship.

**Sec. 65.272. Convent, monastery, religious retreat.***Condition in residential districts:*

The use shall be associated with a church, chapel, synagogue, temple or other similar house of worship.

**ARTICLE IV. 65.300. PUBLIC SERVICES AND UTILITIES****Sec. 65.310. Antenna, cellular telephone.**

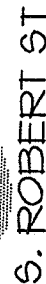
A device consisting of metal, carbon fibre, or other electromagnetically conductive rods or elements, usually arranged in a circular array on a single supporting pole or other structure, and used for the transmission and reception of radio waves in wireless telephone communications.

*Standards and conditions:*

- (a) In residential districts, a conditional use permit is required for cellular telephone antennas on a residential structure less than sixty (60) feet high. In residential, traditional neighborhood and business districts, a conditional use permit is required for cellular telephone antennas on a free-standing pole, except for existing utility poles. In residential and traditional neighborhood districts, existing utility poles to which cellular telephone antennas are attached shall be at least sixty (60) feet high.
- (b) In residential, traditional neighborhood, and OS—B3 and B5 business districts, the antennas shall not extend more than fifteen (15) feet above the structural height of the structure to which they are attached. In B4 business and industrial districts, the antennas shall not extend more than forty (40) feet above the structural height of the structure to which they are attached.
- (c) For antennas proposed to be located on a residential structure less than sixty (60) feet high in residential districts, or on a new freestanding pole in residential, traditional neighborhood, and business districts, the applicant shall demonstrate that the proposed antennas cannot be accommodated on an existing freestanding pole, an existing residential structure at least sixty (60) feet high, an existing institutional use structure, or a business

<b>DRAWING INDEX</b> T-1 TITLE SHEET C-1 OVERALL ROOF PLAN C-2 ENLARGED ROOF PLAN C-3 EAST BUILDING ELEVATION		<b>REV.</b> E E E E																																					
<h1 style="text-align: center;">clearwire®</h1> <h2 style="text-align: center;">wireless broadband</h2>																																							
<b>CLEARWIRE SITE ID:</b> <b>MN-MSP0129-A</b>		<b>SITE NAME:</b> <b>SKYLINE TERRACE APARTMENTS</b> <b>SITE ADDRESS:</b> <b>633 ROBERT ST. S,</b> <b>SANT PAUL, MN 55107</b>																																					
<b>APPROVALS</b> CM: _____ NPM: _____ LL: _____ SA: _____ RF: _____ BH: _____		<b>PROJECT SUMMARY</b> NEW CLEARWIRE EQUIPMENT CABINET AND BACKHAUL ANTENNA MOUNTED TO WALL OF EXISTING PENTHOUSE AND NEW WIRELESS ANTENNAS MOUNTED TO EXISTING SPRINKLER TERRACE HANDRAIL. SKYLINE TERRACE APARTMENTS MN-MSP0129-A 633 ROBERT ST. S SAINT PAUL, MN 55107 DEWITT DEVELOPMENT CORP/SPRINT TROY DEWITT (650) 336-6360 DAVID AUSTIN (650) 263-6611 CLEARWIRE WIRELESS BROADBAND LATITUDE: 44.926488° LONGITUDE: -93.08181° CITY OF SAINT PAUL 08302230185 898' (A75L) RANGNEY COUNTY INTERNATIONAL BUILDING CODE (2006) NATIONAL ELECTRICAL CODE (2008) XCEL ENERGY PHONE: 800-252-1166 GUEST PHONE: 800-603-6000 <b>CONSULTING TEAM</b> <b>PROFESSIONAL ENGINEER:</b> W-T COMMUNICATION DESIGN GROUP, LLC 2675 PRATT AVE. HOFFMAN ESTATES, IL 60132 TEL: (724) 233-6333 FAX: (724) 233-6444 <b>STRUCTURAL ENGINEER:</b> W-T CIVIL ENGINEERING, LLC 2675 PRATT AVE. HOFFMAN ESTATES, IL 60132 TEL: (724) 233-6333 FAX: (724) 233-6444																																					
<b>SCOPE OF WORK:</b> NEW CLEARWIRE EQUIPMENT CABINET AND BACKHAUL ANTENNA MOUNTED TO WALL OF EXISTING PENTHOUSE AND NEW WIRELESS ANTENNAS MOUNTED TO EXISTING SPRINKLER TERRACE HANDRAIL. <b>SITE NAME:</b> SKYLINE TERRACE APARTMENTS <b>CLEARWIRE SITE ID:</b> MN-MSP0129-A <b>SITE ADDRESS:</b> 633 ROBERT ST. S SAINT PAUL, MN 55107 <b>PROPERTY OWNER:</b> DEWITT DEVELOPMENT CORP/SPRINT <b>PROPERTY CONTACT:</b> TROY DEWITT (650) 336-6360 <b>CLEARWIRE SITE CONTACT:</b> DAVID AUSTIN (650) 263-6611 <b>APPLICANT:</b> CLEARWIRE WIRELESS BROADBAND <b>GEOGRAPHIC COORDINATES:</b> LATITUDE: 44.926488° LONGITUDE: -93.08181° <b>JURISDICTION:</b> CITY OF SAINT PAUL <b>TAX ID NUMBER:</b> 08302230185 <b>SITE ELEVATION:</b> 898' (A75L) <b>BUILDING CODES:</b> INTERNATIONAL BUILDING CODE (2006) NATIONAL ELECTRICAL CODE (2008) <b>POWER COMPANY:</b> XCEL ENERGY <b>TELEPHONE COMPANY:</b> GUEST PHONE: 800-252-1166		<b>REVISIONS</b> <table border="1"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>BY</th> <th>CHK</th> <th>APP'D</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>E</td> <td>03/23/10</td> <td>LAF</td> <td>TRC</td> <td>CDS</td> <td>REVISIONS</td> </tr> <tr> <td>D</td> <td>03/16/10</td> <td>LAF</td> <td>TRC</td> <td>CDS</td> <td>ZONING DRAWINGS</td> </tr> <tr> <td>C</td> <td>02/07/10</td> <td>LAF</td> <td>TRC</td> <td>CDS</td> <td>REVISIONS</td> </tr> <tr> <td>B</td> <td>12/07/09</td> <td>SAC</td> <td>TRC</td> <td>CDS</td> <td>REVISIONS</td> </tr> <tr> <td>A</td> <td>11/24/09</td> <td>TRC</td> <td>TRC</td> <td>CDS</td> <td>LEASE EXHIBIT</td> </tr> </tbody> </table> SCALE: AS SHOWN DESIGNED BY: TRC DRAWN BY: DW		NO.	DATE	BY	CHK	APP'D	DESCRIPTION	E	03/23/10	LAF	TRC	CDS	REVISIONS	D	03/16/10	LAF	TRC	CDS	ZONING DRAWINGS	C	02/07/10	LAF	TRC	CDS	REVISIONS	B	12/07/09	SAC	TRC	CDS	REVISIONS	A	11/24/09	TRC	TRC	CDS	LEASE EXHIBIT
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<b>DIRECTIONS</b> DIRECTIONS FROM MINNEAPOLIS / ST. PAUL INTERNATIONAL AIRPORT: DEPART MINNEAPOLIS/ST. PAUL INTERNATIONAL AIRPORT ON LOCAL ROAD(S) (SOUTH). ROAD NAME CHANGES TO 34TH AVE S, TURN LEFT (EAST) ONTO E. 7ND ST, THEN RIGHT, LEFT BEAR RIGHT (SOUTH-EAST) ONTO 34TH AVE S, TURN LEFT (EAST) ONTO LOCAL ROAD(S) (NORTH) STRAIGHT ONTO RAMP, TAKE RAMP (RIGHT) ONTO I-494, AT EXIT 61, TURN RIGHT ONTO I-494, LEFT BEAR RIGHT (EAST) ONTO LOCAL ROAD(S), TURN LEFT (NORTH) ONTO SR-3 (S ROBERT ST), KEEP STRAIGHT ONTO SR-3 (ROBERT ST), KEEP STRAIGHT ONTO SR-3 (S ROBERT ST), KEEP STRAIGHT ONTO SR-3 (ROBERT ST), S2, KEEP STRAIGHT ONTO SR-3 (S ROBERT ST), ARRIVE 633 S ROBERT ST, ST. PAUL, MN 55107.		<b>LOCAL MAP</b> 																																					
<b>SPECIAL NOTES</b> ALL WORK SHALL BE INSTALLED IN CONFORMANCE WITH CURRENT CLEARWIRE CONSTRUCTION INSTALLATION GUIDE EXC) CONDITIONS WILL BE CHECKED AND VERIFIED IN FIELD. IF SIGNIFICANT DEVIATIONS OR DETERIORATION ARE ENCOUNTERED AT THE TIME OF CONSTRUCTION, A REPAIR PERMIT WILL BE OBTAINED AND CONTRACTOR SHALL NOTIFY STRUCTURAL ENGINEER IMMEDIATELY. CONTRACTOR SHALL VERIFY ALL PLANS AND EXC) DIMENSIONS AND CONDITIONS ON THE JOB SITE & SHALL IMMEDIATELY NOTIFY THE ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR SAME. THESE DRAWINGS ARE FULL SIZE AND ARE SCALEABLE ON 11" X 17" SHEET SIZE AND ARE NOT REDUCED IN SIZE. STATEMENT THAT CORRELANCE WITH THE ENERGY CODE IS NOT REQUIRED SCOPE OF WORK DOES NOT INVOLVE MODIFICATIONS OF EXTERIOR MODIFICATIONS TO EXTERIOR ENVELOPE OF BUILDING, HVAC SYSTEMS OR ELECTRICAL LIGHTING.		<b>ENGINEER CERTIFICATION</b> I, SCOTT R. TERPMAH, P.E., LICENSED PROFESSIONAL ENGINEER STATE OF MINNESOTA LICENSE # 28633 EXPIRES 03/29/10, SIGN:																																					
<b>clearwire®</b> <b>wireless broadband</b>		<b>clearwire®</b> <b>wireless broadband</b>																																					
<b>W-T COMMUNICATION DESIGN GROUP, LLC</b> 2015 Fresno Avenue PM 120125-0033 FAX 224-233-6444 E. Laramie, WY 82001-0033 COPYRIGHT © 2010 W-T COMMUNICATION DESIGN GROUP, LLC		<b>W-T COMMUNICATION DESIGN GROUP, LLC</b> 2015 Fresno Avenue PM 120125-0033 FAX 224-233-6444 E. Laramie, WY 82001-0033 COPYRIGHT © 2010 W-T COMMUNICATION DESIGN GROUP, LLC																																					





OVERALL ROOF PLAN  
SCALE: 1" = 20'-0"

(1)



**W-T COMMUNICATION  
DESIGN GROUP, LLC.**  
**WIRELESS INFRASTRUCTURE**  
2075 Preston Avenue  
Hoffman Estates, Illinois 60112  
Tel: 630-241-8333 Fax: (630) 293-6444  
www.wtdesigngroup.com  
L. License No.: 184-001108 Exp. 04/2011  
COMMUNICATION DESIGN GROUP, LLC.



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SCOTT R. TRIPPAHN P.E.  
LICENSED PROFESSIONAL ENGINEER  
STATE OF MINNESOTA  
LICENSE # 26803

**clearwire®**  
wireless broadband

SITE NAME:  
SKYLINE TERRACE APARTMENTS  
CLEARWIRE SITE ID: MN-MSP0129-A

638 ROBERT ST. 8  
ST. PAUL, MN 55107

NOTE:  
CONTRACTOR SHALL RESTORE AND  
REPAIR ANY DAMAGED AREAS  
CAUSED BY CONSTRUCTION TO  
ORIGINAL OR BETTER CONDITION

PROJECT NUMBER  
T091703

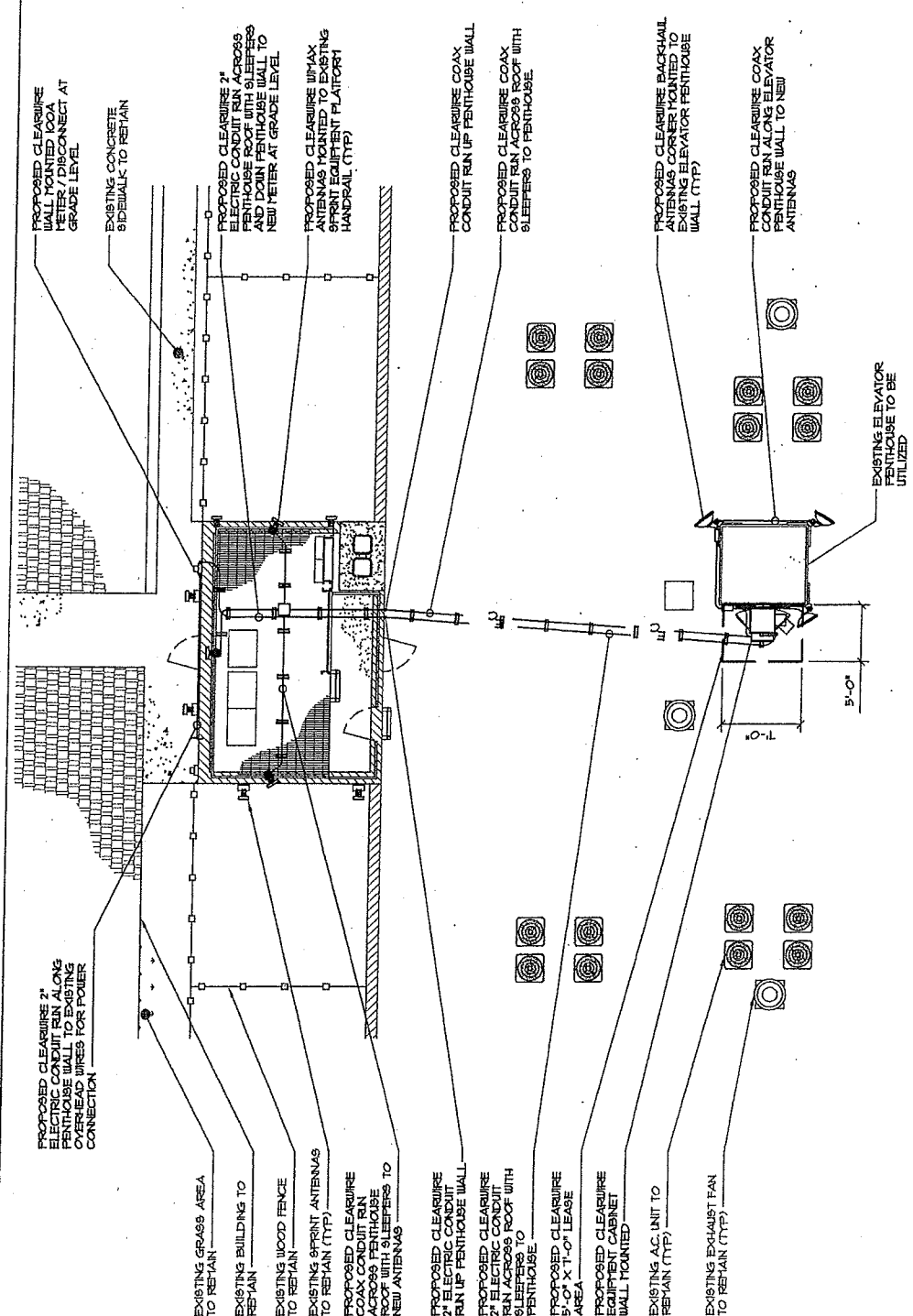
DRAWING TITLE

OVERALL ROOF PLAN

### JOINTLY OWNED

61

NOTE:  
CONTRACTOR SHALL REPAIR AND  
REPAIR ANY DAMAGED AREAS  
CAUSED BY CONSTRUCTION TO  
ORIGINAL OR BETTER CONDITION



ENLARGED ROOF PLAN  
SCALE: 1" = 10'-0"

	<b>W-T COMMUNICATION DESIGN GROUP, LLC</b> WIRELESS INFRASTRUCTURE 2001 E. WYOMING ST. S.E. MINNEAPOLIS, MN 55414 PH: 612.338.8100 FAX: 612.338.8101 WWW.WTDESIGN.COM IL License No. 14-001158 Exp. 04/2011 COPYRIGHT © 2010 W-T COMMUNICATION DESIGN GROUP, LLC	SOUTHERN ENGINEERING & ARCHITECTURE 1001 E. WYOMING ST. S.E. MINNEAPOLIS, MN 55414 LICENSED PROFESSIONAL ENGINEER STATE OF MINNESOTA EXP. 04/2011	<b>clearwire®</b> wireless broadband	SITE NAME: SKYLINE TERRACE APARTMENTS CLEARWIRE SITE ID: MN-MSP0129-A 555 ROBERT ST. S ST. PAUL, MN 55107	PROJECT NUMBER T091703 DRAWING TITLE ENLARGED ROOF PLAN DRAWING NUMBER C-2	<table border="1"> <tr> <th>NO.</th> <th>DATE</th> <th>BY</th> <th>CHK</th> <th>APP</th> <th>DESCRIPTION</th> </tr> <tr> <td>E</td> <td>03/23/10</td> <td>RSB</td> <td>TRK</td> <td>ONE</td> <td>REVISIONS</td> </tr> <tr> <td>D</td> <td>03/16/10</td> <td>RSB</td> <td>TRK</td> <td>ONE</td> <td>REVISIONS</td> </tr> <tr> <td>C</td> <td>02/01/10</td> <td>RSB</td> <td>TRK</td> <td>ONE</td> <td>REVISIONS</td> </tr> <tr> <td>B</td> <td>12/07/09</td> <td>RSB</td> <td>TRK</td> <td>ONE</td> <td>REVISIONS</td> </tr> <tr> <td>A</td> <td>11/24/09</td> <td>RSB</td> <td>TRK</td> <td>ONE</td> <td>REVISIONS</td> </tr> </table>	NO.	DATE	BY	CHK	APP	DESCRIPTION	E	03/23/10	RSB	TRK	ONE	REVISIONS	D	03/16/10	RSB	TRK	ONE	REVISIONS	C	02/01/10	RSB	TRK	ONE	REVISIONS	B	12/07/09	RSB	TRK	ONE	REVISIONS	A	11/24/09	RSB	TRK	ONE	REVISIONS
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ELEV. 153'-0" ANTENNAS 2  
 TOP PROPOSED CLEARANCE UNIFAX ANTENNAS  
 ELEV. 152'-0"  
 PROPOSED CLEARANCE UNIFAX ANTENNAS 1  
 ELEV. 151'-3"  
 TOP OF EXISTING FRUITCREEK PROPOSED  
 CLEARANCE BACKHILL ANTENNAS  
 ELEV. 150'-0"  
 PROPOSED CLEARANCE BACKHILL ANTENNAS  
 ELEV. 153'-0"  
 EXISTING 9PRINT ANTENNAS  
 ELEV. 155'-0"  
 TOP OF  
 BUILDING  
 ELEV. 150'-0"



**EAST BUILDING ELEVATION** 1  
SCALE: 1" = 10'-0"

[illegible]

## Map Legend

- A- Skyline Terrace Apartments- Subject parcel property.
- B- Humboldt Secondary School-LL unwilling to come to lease terms.
- C- Cerenity Senior Housing- LL unwilling to come to lease terms, building too small.
- D- Single residential homes
- E- Single residential homes
- F- Single residential homes
- G- Single residential homes
- H- Church- 3 story building
- I- Single residential homes
- J- Single residential homes
- K- Single residential homes
- L- Single residential homes
- M- Single residential homes
- N- Single residential homes
- O- Single residential homes
- P- Single residential homes



Google

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Image U.S. Geological Survey - Elevation

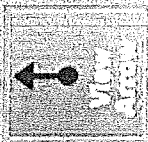
Image Date: Mar 31, 2008

lat: 44.928127, lon: -93.083497, elev: 337 ft



MN-MSP0129-A

1500 S Robert St  
Shikou, Illinois



clearwire  
wireless broadband

**W-T**  
W-T COMMUNICATION  
DESIGN GROUP, LLC  
WIRELESS INFRASTRUCTURE

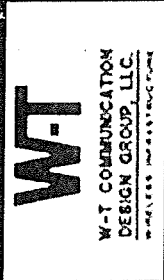
Disclaimer: This photo simulation is an artist's depiction of a future installation. The actual construction may vary slightly in size, layout, color and texture from this simulation.

MIN-MSP0129-A

633 Robert St.  
St. Paul, MN 55107

Faring West

W-T COMMUNICATION DESIGN GROUP, LLC



EXISTING

clearwire  
wireless broadband

Disclaimer: This photo simulation is an artist's depiction of a future installation. The actual construction may vary slightly in size, location, appearance, and other details.



MINUTESPOT129-A

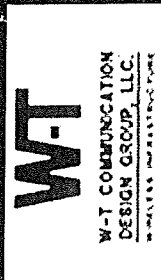
500 ROBERT ST  
ST. PAUL, MN 55107

Clarking West



clearwire  
wireless broadband

PROPOSED



W-T COMMUNICATION DESIGN GROUP, LLC

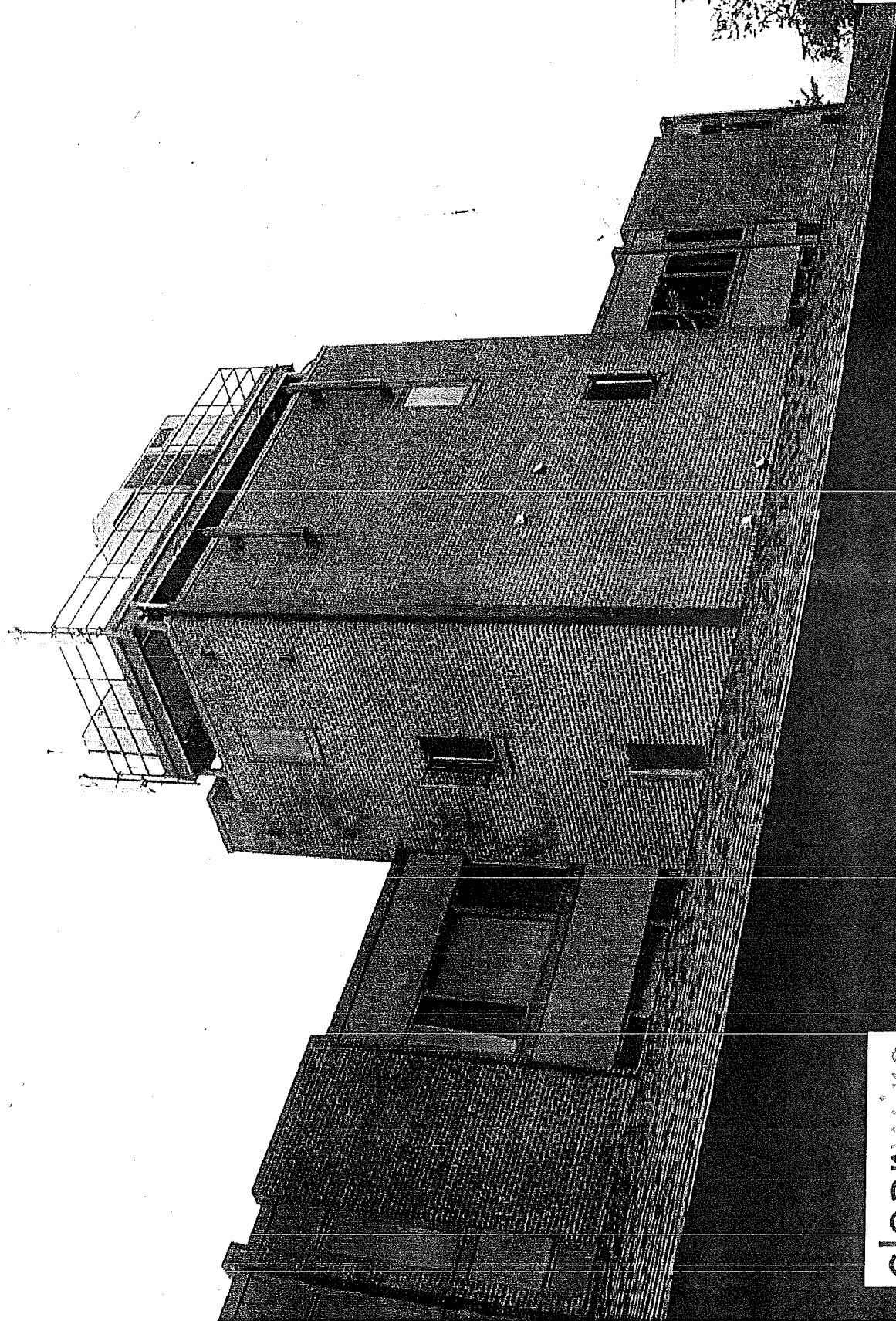
Disclaimer: This photo simulation is an artist's depiction of a future installation. The actual construction may vary slightly in size, layout, or placement.



MN-MSP0129-A

633 Robert St.  
St. Paul, MN 55107

Facing Southeast



clearwire  
wireless broadband

EXISTING

WAT

W-T COMMUNICATION  
DESIGN GROUP, LLC  
A WATKINS GROUP COMPANY

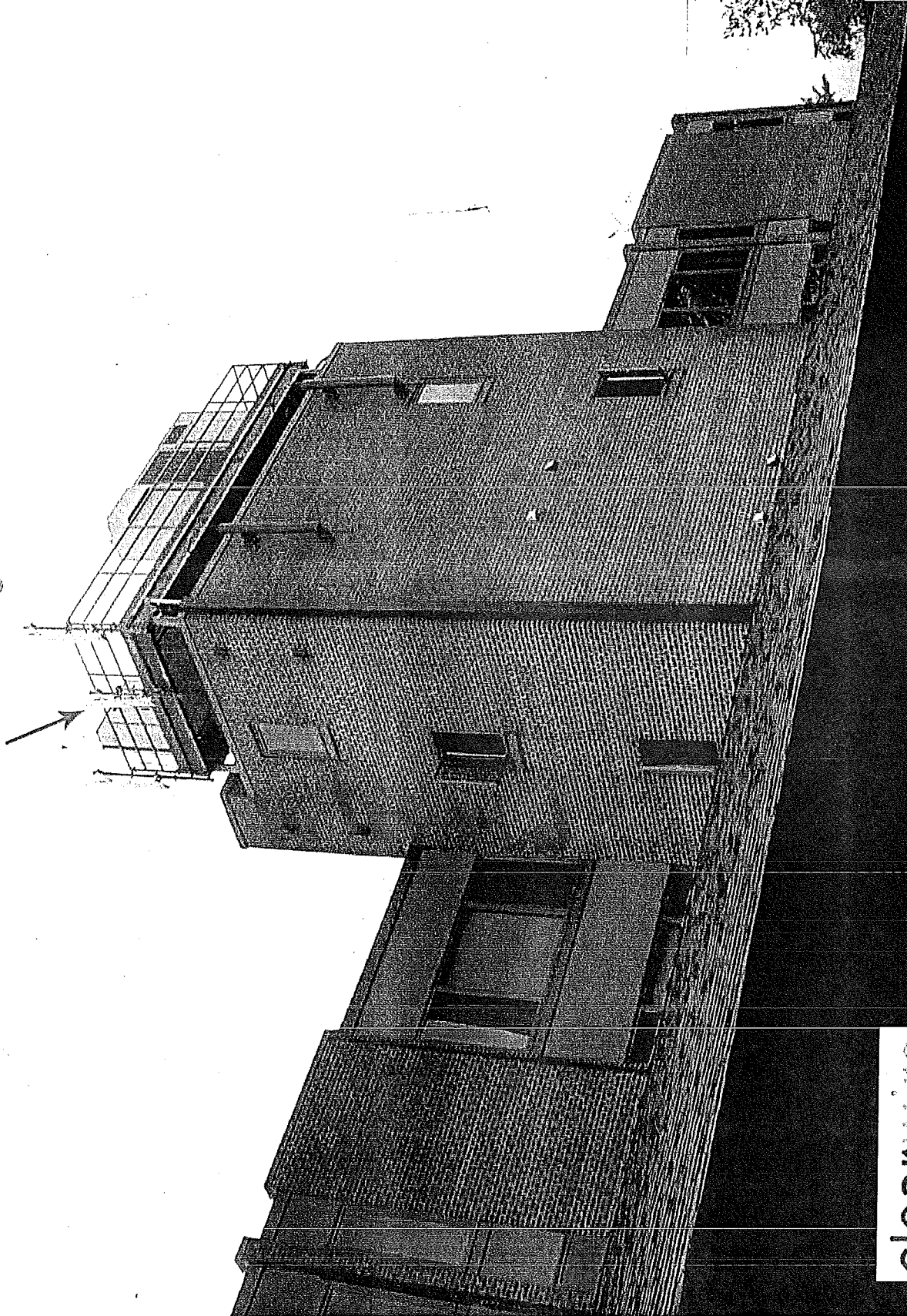
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MN-MSP0129-A

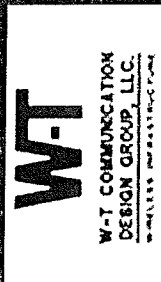
633 Robert St.  
St. Paul, MN 55107

Facing Southeast



clearwire  
wireless broadband

PROPOSED



April 16, 2010

Troy Dewitt  
Homes at Skyline, LLC  
825 Midwest Trail Ct. N  
Lake Elmo, MN. 55042

---

City of St. Paul  
Planning & Economic Development  
1400 City Hall Annex  
25 West Fourth Street  
St. Paul, Minnesota 55102-1634  
Telephone: 651-266-6570

**RE: Clearwire's proposed Collocation at 633 Robert Street South, St. Paul, MN**

Dear Ms. Zorn,

As the owners of the property located at 633 Robert Street South, on which Clearwire is proposing to locate antenna equipment and accessory ground equipment, I am writing to state my support for Clearwire's proposed installation to improve wireless coverage in the area by collocating antennas on an existing rooftop.

I have reviewed Clearwire's site and building plans and have executed a lease agreement with Clearwire to allow for the location of their equipment cabinet on my property. As the owner of the property and Landlord to Clearwire and Skyline Terrace Apartments, I support the proposed installation. I encourage the City of St. Paul to approve the proposal to locate equipment and to mount their antennas on the Skyline Terrace rooftop.

Sincerely,



Troy Dewitt

Homes at Skyline, LLC  
825 Midwest Trail Ct. N  
Lake Elmo, MN. 55042

## Request for Continuance

Date April 16, 2010

Richard Kramer, Chair  
Zoning Committee  
City of Saint Paul  
1400 City Hall Annex  
Saint Paul, Minnesota 55102

Re: Zoning File # 10-130-112

Dear Mr. Kramer

I am the applicant or the applicant's duly appointed representative for this zoning file.

I request a continuance of the public hearing on the application in this zoning file, which is presently scheduled before the Zoning Committee on April 29, 2010

I understand that a continuance of the public hearing before the Zoning Committee means that the decision of the Planning Commission on this application, which is presently scheduled for May 7, 2010 also be continued.

I request that the Zoning Committee continue the public hearing for this zoning file to May 13, 2010, I understand that the Planning Commission would then be scheduled to make their decision on May 21, 2010.

I am aware of and understand the statutory requirements found in Minn. Statue § 15.99 (1995) requiring the City of Saint Paul to approve or deny this application within sixty days of its submission. I desire to extend the sixty day period for a City decision under Minn. Stat. §15.99 by 11 days to June 1, 2010, to accommodate the continuance I am requesting.

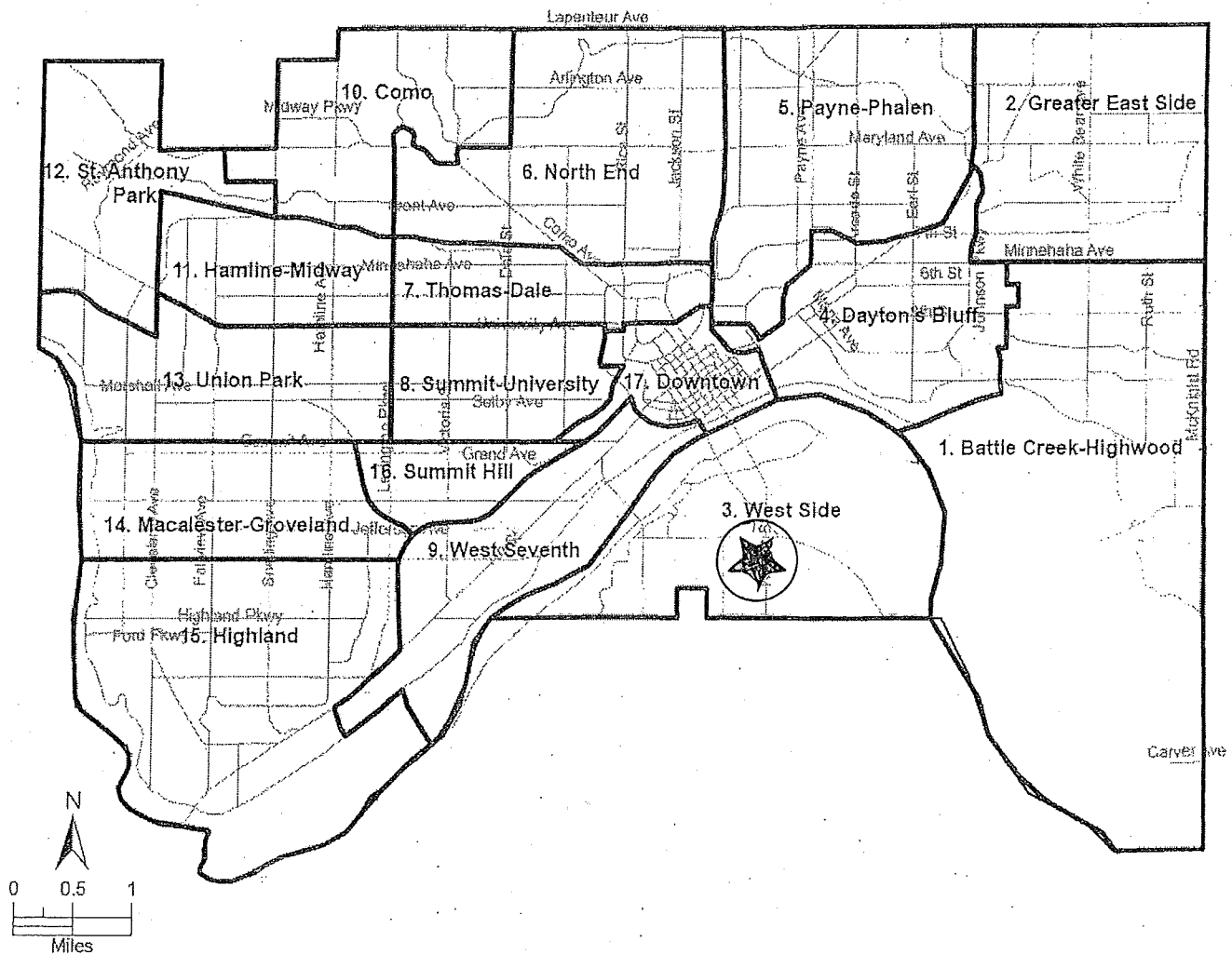
Sincerely,

Steven A. Kenny

Signature of Applicant or  
Applicant's duly appointed  
representative.

Steven A. Kenny

Printed name of Applicant or  
Applicant's duly appointed  
representative.



Source: City of Saint Paul

### CITIZEN PARTICIPATION PLANNING DISTRICTS

1. SUNRAY-BATTLECREEK-HIGHWOOD
2. GREATER EAST SIDE
3. WEST SIDE
4. DAYTON'S BLUFF
5. PAYNE-PHALEN
6. NORTH END
7. THOMAS-DALE
8. SUMMIT-UNIVERSITY
9. WEST SEVENTH
10. COMO
11. HAMLINE - MIDWAY
12. ST. ANTHONY
13. UNION PARK
14. GROVELAND-MACALESTER
15. HIGHLAND
16. SUMMIT HILL
17. DOWNTOWN

# 10-130112





## ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** Clearwire
  2. **APPLICANT:** Clearwire
  3. **TYPE OF APPLICATION:** Conditional Use Permit
  4. **LOCATION:** 50 Cretin Ave S, SE corner at Grand
  5. **PIN & LEGAL DESCRIPTION:** 052823410102, Summit Wood Ex E 1o Ft Lot 43 And All Of Lots 44 And Lot 45
  6. **PLANNING DISTRICT:** 14
  7. **ZONING CODE REFERENCE:** §65.310; §61.501
  8. **STAFF REPORT DATE:** May 5, 2010
  9. **DATE RECEIVED:** March 19, 2010
- FILE # 10-128-635**  
**HEARING DATE:** May 13, 2010  
**PRESENT ZONING:** RM2  
**BY:** Sarah Zorn  
**60-DAY DEADLINE FOR ACTION:** May 18, 2010

- 
- A. **PURPOSE:** Conditional use permit for wireless communications antenna on a residential structure less than 60 ft high
- B. **PARCEL SIZE:** 106 ft. (Grand) x 150 ft. (Cretin). Total lot area is 15,914 sq. ft.
- C. **EXISTING LAND USE:** R-Multi-Family
- D. **SURROUNDING LAND USE:**  
North: Single and multifamily residential (RM2)  
East: Single and multifamily residential (RM2)  
South: Single family residential (R3)  
West: University of St. Thomas (R2)
- E. **ZONING CODE CITATION:** §65.310 requires a conditional use permit for cellular telephone antennas on a residential structure less than 60 ft. high, and provides specific standards and conditions for cellular telephone antennas; §61.501 lists general conditions that must be met by all conditional uses.
- F. **HISTORY/DISCUSSION:** In October of 2002, the Planning Commission approved a conditional use permit to allow T-Mobile to install a wireless communication antenna on the rooftop (#02-228-985). In March of 2005, the Planning Commission approved a conditional use permit to allow Verizon Wireless to install a wireless communication antenna on the rooftop (#05-080-984). In April of 2005, the Planning Commission approved a conditional use permit to allow Cingular Wireless to install a wireless communication antenna on the rooftop (#05-086-082). In March of 2007, the Planning Commission approved an application for a change of nonconforming use permit to convert an accounting office to a chiropractic clinic (#07-049-660).
- G. **DISTRICT COUNCIL RECOMMENDATION:** The District 14 Council recommended approval of the application.
- H. **FINDINGS:**
1. The applicant, Clearwire, seeks to install antennas and equipment to provide wireless broadband service in this area. The Department of Safety and Inspections issued a Determination of Similar Use statement in December of 2009 determining that a broadband data service provider is substantially similar in character to traditional cellular telephone service.
  2. §65.310 defines 'cellular telephone antenna', requires a conditional use permit for cellular telephone antennas on a residential structure less than 60 feet high, and lists the following standards and conditions with which they must comply:
    - (a) *In residential districts, a conditional use permit is required for cellular telephone antennas on a residential structure less than sixty (60) feet high. In residential, traditional neighborhood and business districts, a conditional use permit is required for cellular telephone antennas on a freestanding pole, except for existing utility poles. In residential and traditional neighborhood districts, existing utility poles to which cellular telephone antennas are attached shall be at least sixty (60) feet high. This condition is met. An.*

application for a conditional use permit has been made for a wireless communication antenna on a residential structure less than 60 feet high.

- (b) *In residential, traditional neighborhood, and OS--B3 and B5 business districts, the antennas shall not extend more than fifteen (15) feet above the structural height of the structure to which they are attached. In B4 Business and Industrial Districts, the antennas shall not extend more than forty (40) feet above the structural height of the structure to which they are attached. This condition is met. The top of the proposed antenna will be approximately thirteen feet above the structural height of the structure.*
- (c) *For antennas proposed to be located on a residential structure less than sixty (60) feet high in residential districts, or on a new freestanding pole in residential, traditional neighborhood, and business districts, the applicant shall demonstrate that the proposed antennas cannot be accommodated on an existing freestanding pole, an existing residential structure at least sixty (60) feet high, an existing institutional use structure, or a business building within one-half ( 1/2) mile radius of the proposed antennas due to one (1) or more of the following reasons:*
  - (1) *The planned equipment would exceed the structural capacity of the existing pole or structure.*
  - (2) *The planned equipment would cause interference with other existing or planned equipment on the pole or structure.*
  - (3) *The planned equipment cannot be accommodated at a height necessary to function reasonably.*
  - (4) *The owner of the existing pole, structure or building is unwilling to co-locate an antenna. This condition is met. The applicant has provided a map showing buildings within one half mile of the proposed antenna site, and explained why the proposed antenna cannot be accommodated on existing structures in the area.*
- (d) *In residential, traditional neighborhood and business districts, cellular telephone antennas to be located on a new freestanding pole are subject to the following standards and conditions: The proposed antenna is not a freestanding design.*
- (e) *In industrial districts, cellular telephone antennas on a freestanding pole shall not exceed one hundred fifty (150) feet in height, shall not be located in a required front or side yard, and shall be set back one (1) times the height of the antenna plus ten (10) feet from the nearest residential structure. This condition does not apply.*
- (f) *Antennas located in historic districts shall be subject to review and approval of the heritage preservation commission. This condition does not apply.*
- (g) *Freestanding poles shall be a monopole design. This condition does not apply.*
- (h) *Transmitting, receiving and switching equipment shall be housed within an existing structure whenever possible. If a new equipment building is necessary, it shall be permitted and regulated as an accessory building, section 63.500, and screened from view by landscaping where appropriate. This condition is met. The applicant is proposing to place an equipment cabinet on a 3 ft. x 6ft. platform and screen it with a new brick wall, minimizing its visibility from the street.*
- (i) *Cellular telephone antennas that are no longer used for cellular telephone service shall be removed within one (1) year of nonuse. This condition is met. The applicant has agreed to abide by this condition.*

3. §61.501 lists five standards that all conditional uses must satisfy:

- (1) *The extent, location and intensity of the use will be in substantial compliance with the Saint Paul Comprehensive Plan and any applicable subarea plans which were approved by the city council. This condition is met. The Comprehensive Plan refers to the importance of ensuring investments in local and regional infrastructure supportive of economic development.*
- (2) *The use will provide adequate ingress and egress to minimize traffic congestion in the public*



*streets.* This condition is met. Access to the equipment cabinet for maintenance purposes will not have an impact on traffic congestion in the public streets.

- (3) *The use will not be detrimental to the existing character of the development in the immediate neighborhood or endanger the public health, safety and general welfare.* This condition is met. The use will not alter the existing character of development in the area and will improve the general welfare by expanding wireless communication capabilities in the area.
- (4) *The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.* This condition is met. The use will not impede the development or improvement of surrounding properties.
- (5) *The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.* This condition is met. The construction, operation and maintenance of the antenna will conform to all applicable district regulations.

- I. **STAFF RECOMMENDATION:** Based on the above findings, staff recommends approval of the Conditional Use permit for wireless communication antenna on a residential structure less than 60 feet high subject to the condition that if the antenna is no longer used for cellular phone/wireless communication services it shall be removed within one year as required in section 65.310(i).

**CONDITIONAL USE PERMIT APPLICATION**

Department of Planning and Economic Development  
Zoning Section  
1400 City Hall Annex  
25 West Fourth Street  
Saint Paul, MN 55102-1634  
(651) 266-6589

Zoning office use only

File # 10-128635Fee: 750.00

Tentative Hearing Date:

5-13-10

PD=14

05282341 0102

**APPLICANT**

Name Clearwire  
Address 7400 Metro Blvd., Suite 260  
City Edina St. MN Zip 55439 Daytime Phone (952) 831-1043  
Name of Owner (if different) Darrell Tuttlewoh  
Contact Person (if different) Steven Kenny Phone (952) 831-1043

**PROPERTY  
LOCATION**

Address / Location 50 Cratin Avenue  
Legal Description See attached legal description  
Current Zoning RM-2  
(attach additional sheet if necessary)

TYPE OF PERMIT: Application is hereby made for a Conditional Use Permit under provisions of  
Chapter 65, Section 310, Paragraph 6 of the Zoning Code.

**SUPPORTING INFORMATION:** Explain how the use will meet all of the applicable standards and conditions. If you are requesting modification of any special conditions or standards for a conditional use, explain why the modification is needed and how it meets the requirements for modification of special conditions in Section 61.502 of the Zoning Code. Attach additional sheets if necessary.

Supporting Information has been attached.

ck

00173761

3-19-10

☒ Required site plan is attached

Applicant's Signature Steven A. Kenny Date 3/19/10 City Agent add

3-19-10

## Legal Description

APN: 05.28.23.41.0102

Lot 43 except the Easterly 10 feet thereof; the Easterly 20 feet of Lot 44 and the Westerly 20 feet of Lot 44; Lot 45; all in Summit Wood, according to the recorded plat thereof, Ramsey County, Minnesota.

Report Name: SP-Owners Report

## CITY OF ST PAUL Owners Report

Printed: 3/23/2010  
Page: 1

PID: 05-28-23-41-0102

Property Address: 50 CRETIN AVE S 55105-1042

D & D Investments Llp  
1335 Oakdale Ave Unit 103  
West St Paul MN 55118-2616

Owner  
Taxpayer

SUMMIT WOOD EX E 10 FT LOT 43 AND ALL OF LOTS 44 AND LOT 45



FMHC Corporation  
1535 N. Elston Avenue  
Chicago, IL 60622

www.fmhc.com  
phone 773 395 8800  
fax 773 395 3464

January 26, 2010

City of St. Paul  
PED – Zoning Section  
1400 City Hall Annex  
25 W. 4<sup>th</sup> St.  
St. Paul, MN 55102-1634

Re: Conditional Use Permit Application  
Clearwire Site#: MN-MSP0225  
Address: 50 Cretin Avenue.

Dear PED:

Attached please find a Conditional Use Permit application along with a check for the application fee in the amount of \$750.00. Enclosed with the application is the legal description, supporting information, site plans, map with legend of properties within ½ mile radius, and site simulation photos.

The purpose of this CUP application is for Clearwire to install antennas, and accompanying ground equipment at 50 Cretin Avenue. The location of the site was selected to provide WIMAX service and optimal coverage at the highest available Rad center available.

If you have any questions or are in need of further information, please do not hesitate to contact me at (952) 831-1043.

Respectfully Submitted,

Steven A. Kenny  
Site Acquisition Specialist

Enclosures

LJC/wo

## SUPPORTING INFORMATION

### Code Requirements:

*The extent, location and intensity of the use will be in substantial compliance with the Saint Paul Comprehensive Plan and any applicable subarea plans which were approved by the city council.*

This use will be the location of antennas upon a 4 story apartment building with the accompanying equipment inside a new brick walled room built to match the color and design of the existing north penthouse., The antennas were placed as to not be visible from the major streets (i.e. Cretin and Grand)

*The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.*

This use will not have any affects on the public streets

*The use will not be detrimental to the existing character of the development in the immediate neighborhood or endanger the public health, safety and general welfare.*

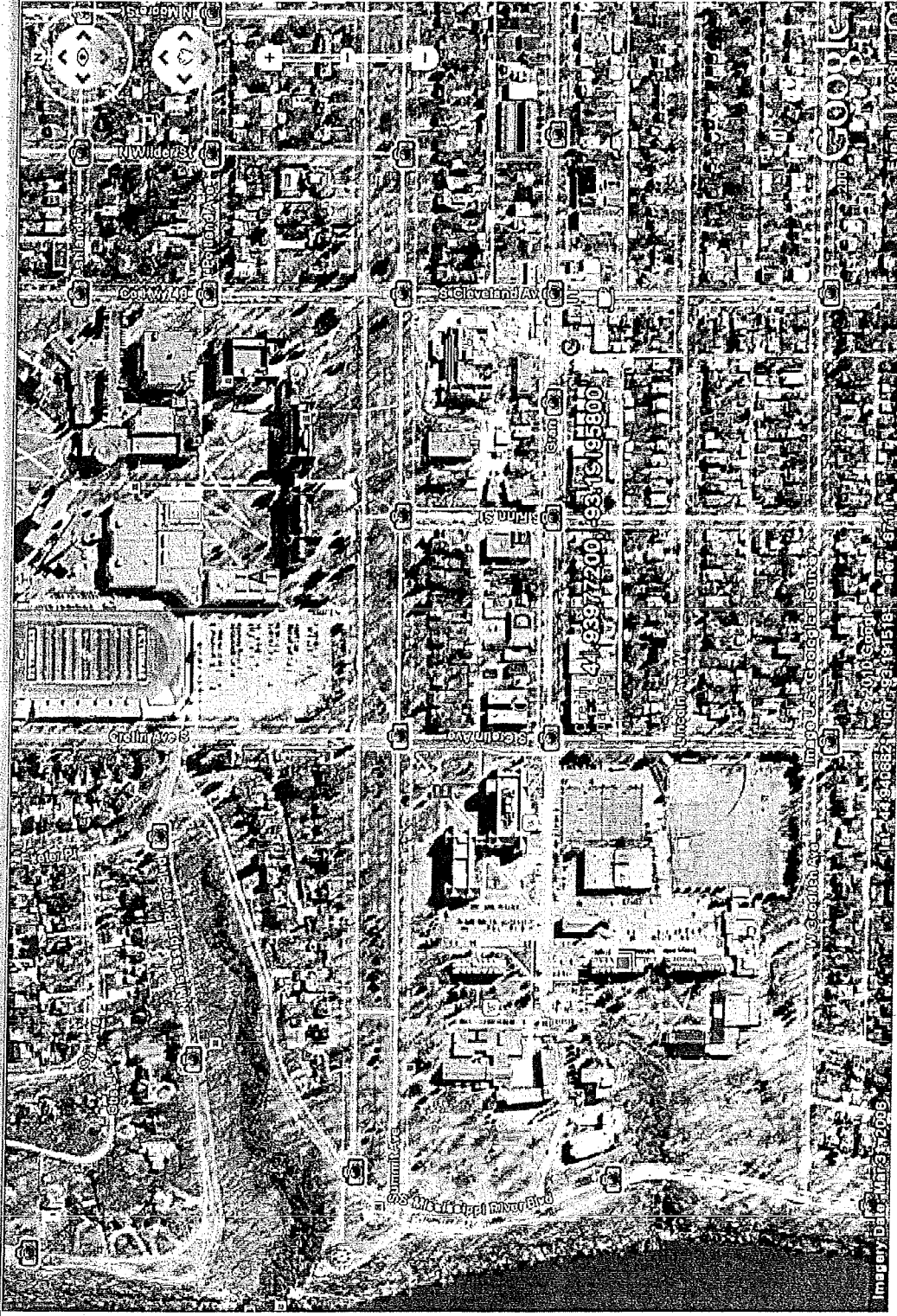
Although this site is currently zoned as a RM-2, the existing character of the immediate neighborhood is Residential with apartments and homes along Grand. The residential area to north and University to the west of the site. Installation of the antenna will actually improve the public health, safety and welfare by providing WIMAX service in the area.

*The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.*

This use will have no impact upon the development and improvement of the surrounding property other than to provide the properties with higher quality wireless WIMAX communication services.

*The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.*

It is the policy of Clearwire to comply with all laws and regulations. In addition to the district regulations, Clearwire will also comply with state and federal laws and regulations regarding wireless communication services. The proposed use complies with all the special conditions specified in the zoning code. Care was taken in the placement of the antennas on this rooftop in an area of the property furthest from the surrounding major streets and to screen the equipment cabinet in a brick room (painted to match the existing penthouse) in accordance with the spirit and purpose of the zoning code.



Map data © 2006, Imagery © 2006, Google

Zoom: 10

MN-WSP0225-Aerial

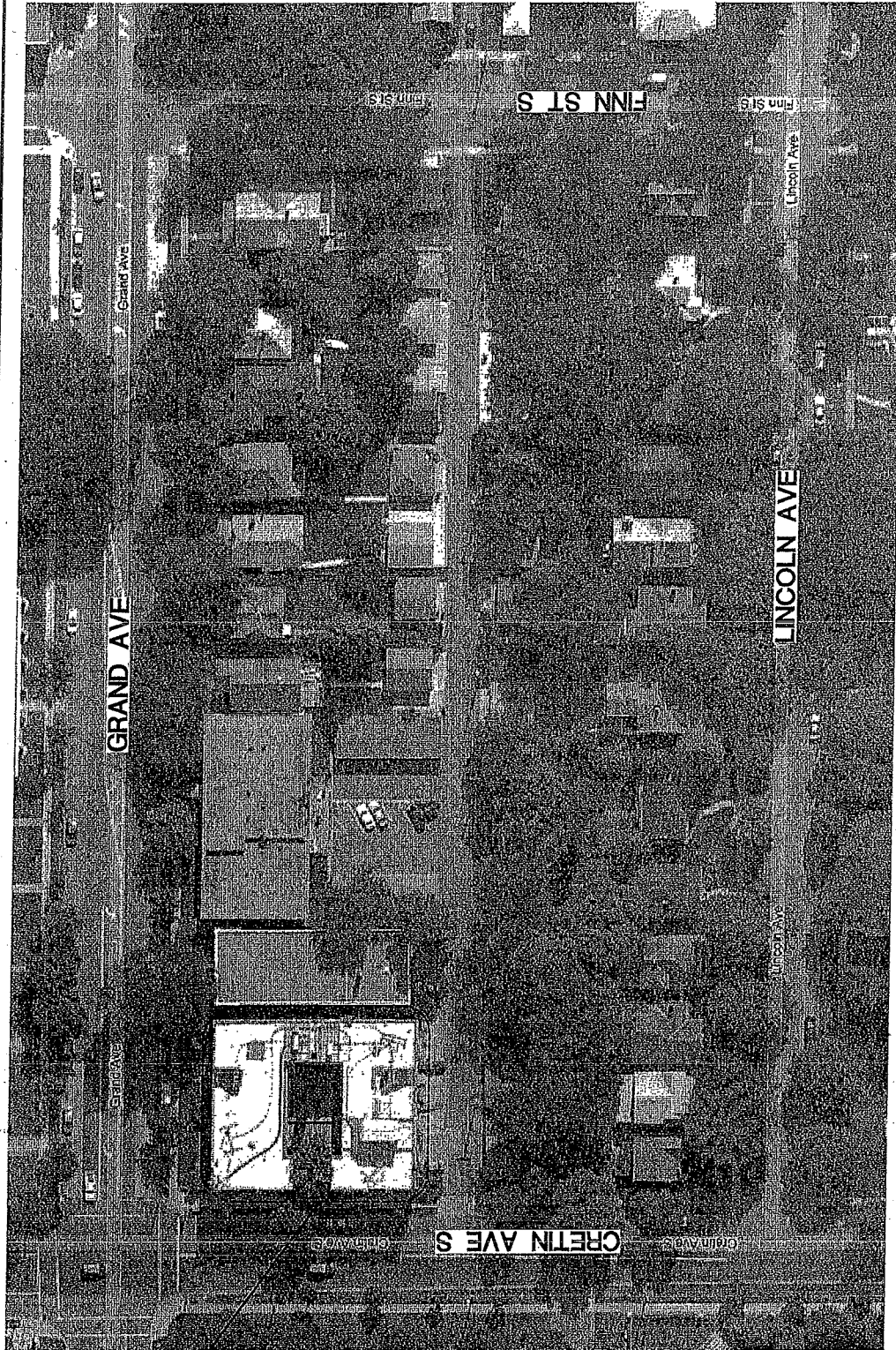
### Map Legend

- A- University of St. Thomas- Not interested in leasing any of their land(UST owns 92% of the buildings within the  $\frac{1}{2}$  radius of this search ring).
- B- University of St. Thomas- Not interested in leasing any of their land.
- C- Apartment complex-2-3 story building and too low to put antennas onto.
- D- Apartment complex- 2-3 story building and too low to put antennas onto.
- E- Apartment complex- 2-3 story building and too low to put antennas onto.
- F- University of St. Thomas- Not interested in leasing any of their land
- G- Davanni's business- 1 story building, too low to put antennas onto.
- H- St. Paul Seminary- Too far west away from the search ring and the building sits on the lower part of the hill.
- I- University of St. Thomas- Not interested in leasing any of their land

[illegible]



NOTE: THIS MAP PROVIDED USING  
AERIAL PHOTOGRAPHY



EXISTING BUILDING TO BE  
UTILIZED. SEE SHEET C-2  
FOR DETAILS

SITE LOCATION PLAN  
SCALE: NONE

**W-T COMMUNICATION  
DESIGN GROUP, LLC.**  
WIRELESS INFRASTRUCTURE  
2015 Dayton Avenue  
St. Paul, MN 55108  
PH: 651.222.2222 FAX: 651.222.2244  
www.wtdesigngroup.com  
LL License No: 15-001158 Exp: 06/01/17

SCOTT R. TREMPER, P.E.  
LICENSED PROFESSIONAL ENGINEER  
STATE OF MINNESOTA  
LICENSE # 28633  
DATE: 11/17/16

**clearwire®**  
wireless broadband

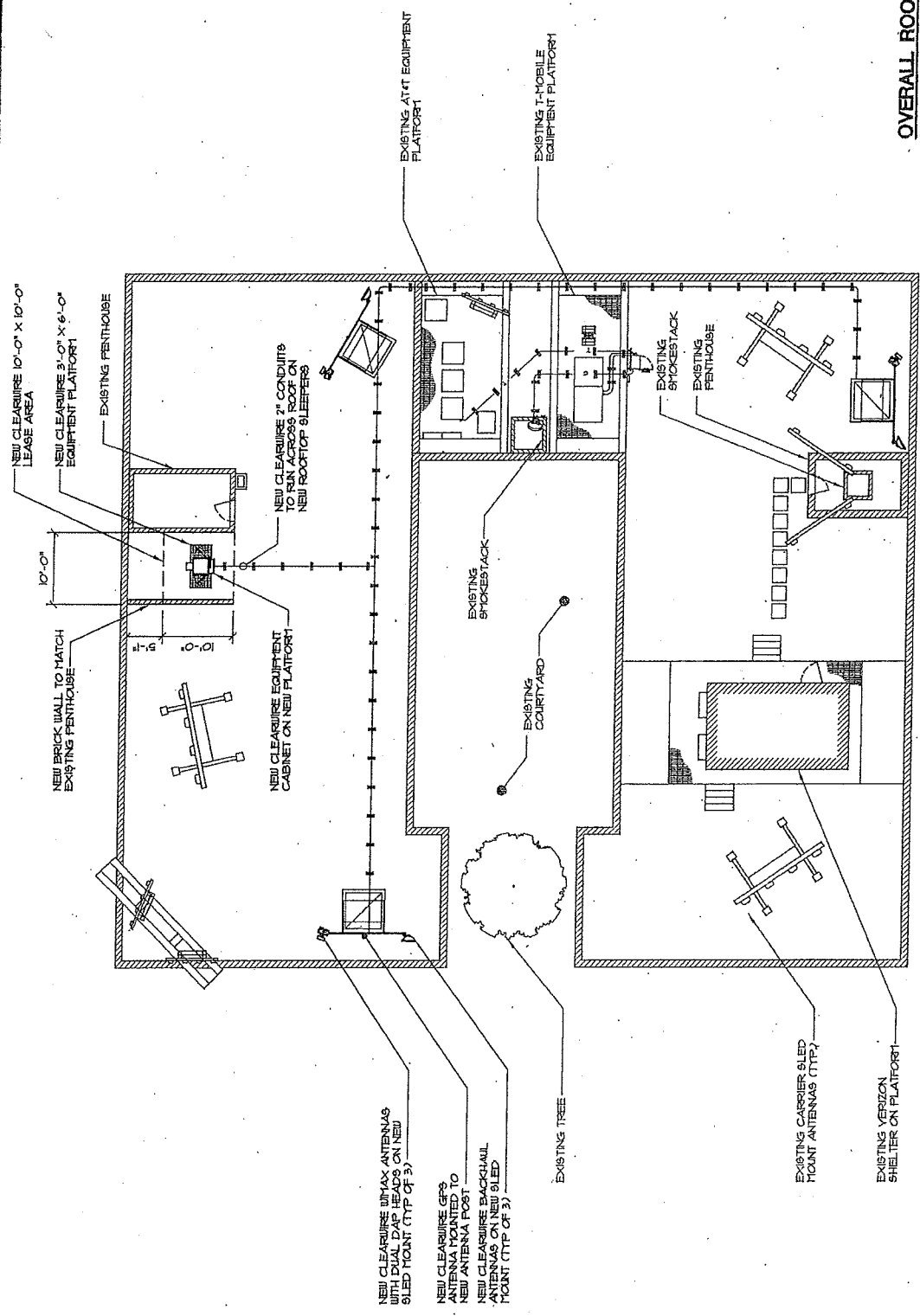
SITE NAME: ST. PAUL -  
CRETIN AVE S & GRAND AVE W  
CLEARWIRE SITE ID: MN-MSP0225-A

50 CREIN AVENUE  
ST. PAUL, MN 55106

PROJECT NUMBER	1001207
DRAWING TITLE	SITE LOCATION PLAN
DRAWING NUMBER	C-1
DATE	10/21/10
BY	TRK
CHECKED BY	CHK
DESIGNED BY	TRK
DRAWN BY	JAC

NOTE:  
CONTRACTOR SHALL RESTORE AND REPAIR ANY DAMAGED AREAS CAUSED BY CONSTRUCTION TO ORIGINAL OR BETTER CONDITION

NOTE:  
EXISTING UTILITY POLE WITH TRANSPORTER SOUTH OF SITE (APPROXIMATELY 34') EXACT SOURCE TO BE VERIFIED WITH LOCAL UTILITY COMPANY BY CLEARWIRE.



OVERALL ROOF PLAN  
SCALE: 1" = 15'-0"  
1  
NORTH

<b>W-T COMMUNICATION DESIGN GROUP, LLC</b> WIRELESS INFRASTRUCTURE 2075 Fulton Avenue St. Paul, MN 55108 P: 612.441.1111 F: 612.441.1112 www.wirelessinfrastructure.com		SITE NAME: ST. PAUL - CREITIN AVE S & GRAND AVE W CLEARWIRE SITE ID: MN-MSP0225-A		PROJECT NUMBER T091207 DRAWING TITLE OVERALL ROOF PLAN	
EXPIRES: 05/20/10 SIGNED: / / LICENSE # 28253 SCOTT R. THOMPSON, P.E. LICENSED PROFESSIONAL ENGINEER		NO. DATE A 01/27/10 REVISIONS BY: CHW/KPD		DRAWN BY: JAC DESIGNED BY: TRK	
COPYRIGHT © 2010 W-T COMMUNICATION DESIGN GROUP, LLC		DRAWING NUMBER <b>C-2</b>			

**clearwire**  
wireless broadband

NOTE:  
EXISTING CARRIER ANTENNAS NOT  
SHOWN FOR CLARITY.

SEE STRUCTURAL REPORT FOR ANY  
ADDITIONAL INFORMATION AND  
REMARKS. NO WORK  
SHALL START WITHOUT AN  
APPROVED STRUCTURAL ANALYSIS.

NEW CLEARWIRE BACKHAUL  
4 WIMAX ANTENNAS WITH  
DUAL DAP HEADS ON NEW  
SLED MOUNT (TYP OF 3)

EXISTING VERIZON  
SHELTER ON PLATFORM

EXISTING T-MOBILE  
EQUIPMENT PLATFORM

EXISTING ATT  
EQUIPMENT PLATFORM

TOP OF NEW CLEARWIRE ANTENNAS  
ELEV. 52'-3"

NEW CLEARWIRE BACKHAUL 4 WIMAX ANTENNAS  
ELEV. 51'-0"

NEW CLEARWIRE  
EQUIPMENT CABINET  
ON NEW PLATFORM

NEW BRICK WALL TO MATCH  
EXISTING PENTHOUSE


TOP OF BUILDING  
ELEV. 40'-0"

EXISTING BRICK BUILDING  
TO BE UTILIZED

GRADE  
ELEV. 0'-0"

# BUILDING ELEVATION

SCALE: 1" = 10'-0"



**W-T COMMUNICATION  
DESIGN GROUP, LLC**  
WIRELESS INFRASTRUCTURE  
205 Peachtree Street, Suite 2022  
Atlanta, Georgia 30303  
PH: (404) 525-1000  
www.wirelessinfrastructure.com

SCOTT B. TRIMMAN, P.E.  
LICENSED PROFESSIONAL ENGINEER  
IN THE STATE OF GEORGIA  
LICENSE # 28333  
EXPIRES 06/30/2019

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**clearwire®**  
wireless broadband

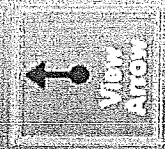
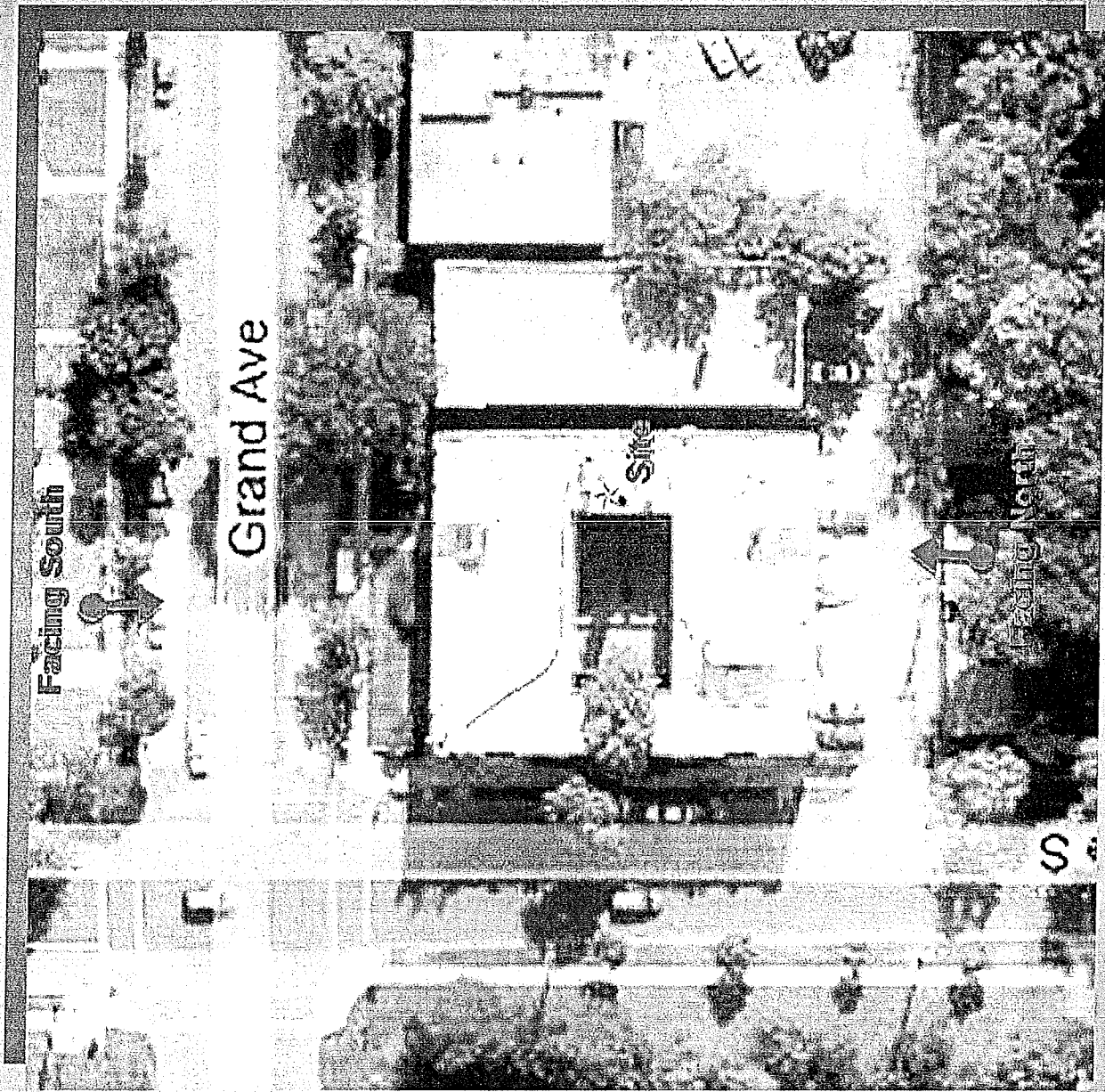
SITE NAME: ST. PAUL -  
CRETIN AVE S & GRAND AVE W  
CLEARWIRE SITE ID: MN-MSP025-A

80 CRETIN AVENUE  
ST. PAUL, MN 55106

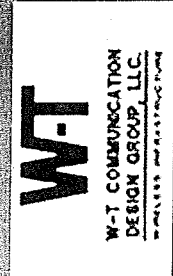
PROJECT NUMBER T091207		DRAWING TITLE BUILDING ELEVATION	
DRAWING NUMBER C-3		DATE 01/24/20	
DESIGNED BY: TRK		CHECKED BY: JUS	
SCALE: AS SHOWN		DRAWN BY: JUS	

MINUSP0225A

Grand Ave  
Facing South



**clearwire**  
wireless broadband



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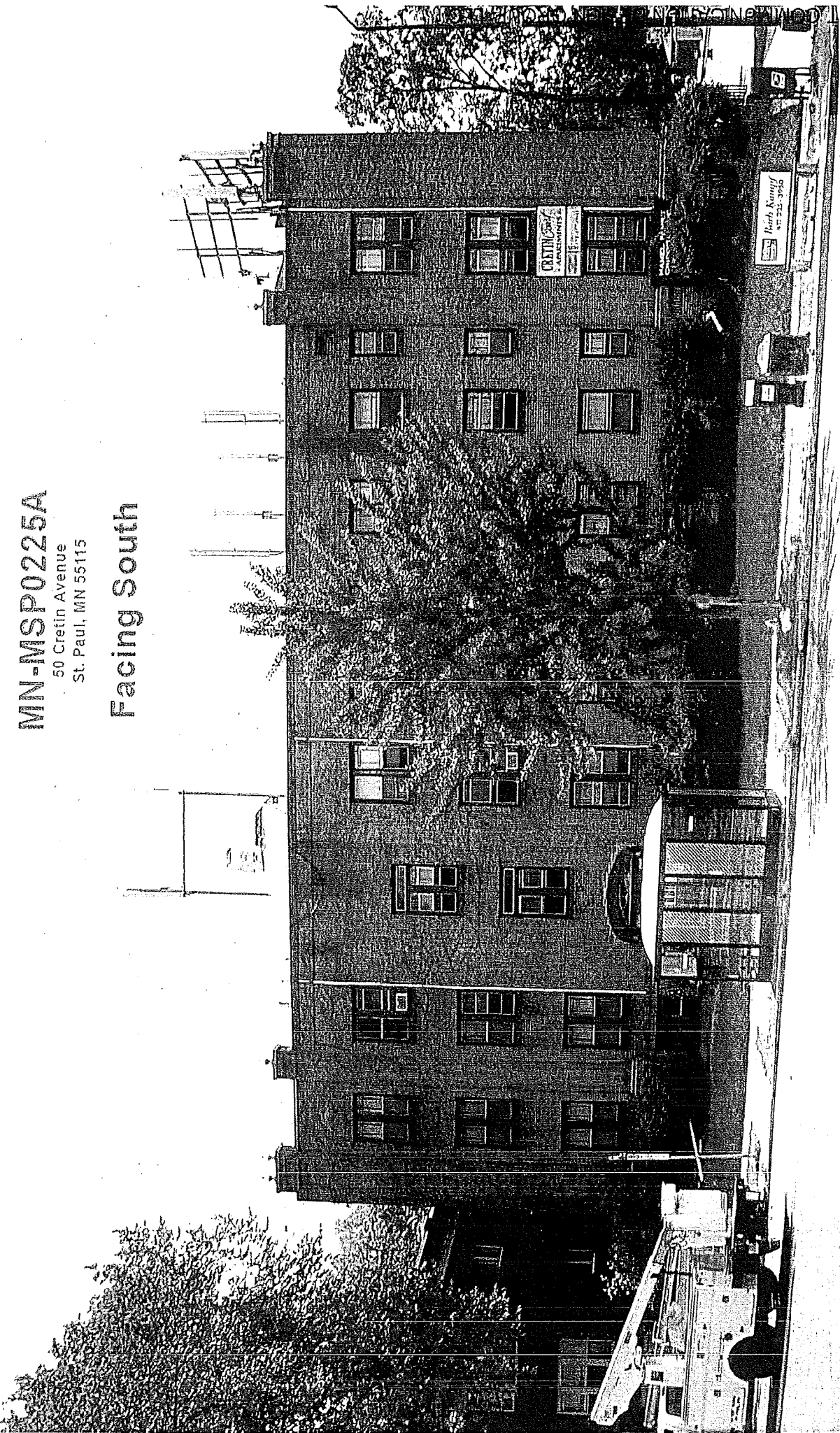
Disclaimer: This photo simulation is an artist's depiction of a future installation. The actual construction may vary slightly in size, layout, color and texture from this simulation.



MN-MSP0225A

50 Cretin Avenue  
St. Paul, MN 55115

Facing South



clearwire  
wireless broadband

EXISTING

W-T

W-T COMMUNICATION  
DESIGN GROUP, LLC  
WIRELESS INFRASTRUCTURE

Disclaimer: This photo simulation is an artist's depiction of a future installation. The actual construction may vary slightly in size, layout, color and texture from this simulation.

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**MN-MSP0225A**

50 Clinton Avenue  
St. Paul, MN 55105

**Facing North**

**clearwire**  
wireless broadband

**EXISTING**

08/

**WAT**

W-T COMMUNICATION  
DESIGN GROUP, LLC  
A WATKINS COMPANY

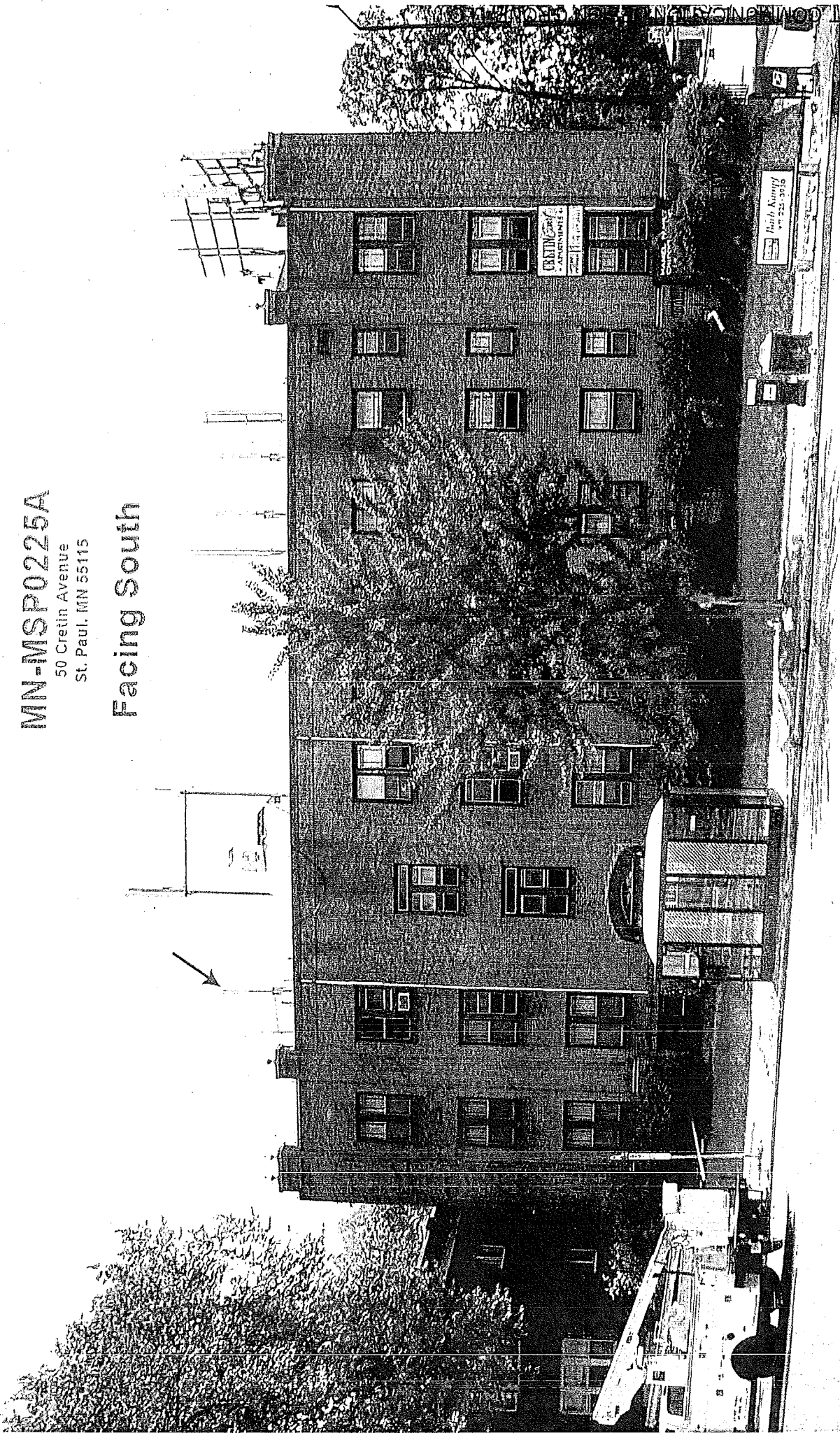
Disclaimer: This photo simulation is an artist's depiction of a future installation. The actual construction may vary slightly in size, layout, color and texture from this simulation.

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MN-MSP0225A

50 Cretin Avenue  
St. Paul, MN 55115

Facing South



clearwire  
wireless broadband

PROPOSED

WT

W-T COMMUNICATION  
DESIGN GROUP, LLC  
WIRELESS INFRASTRUCTURE

Disclaimer: This photo simulation is an artist's depiction of a future installation. The actual construction may vary slightly in size, layout, color, and texture from this simulation.

COPYRIGHT © 2010 W-T COMMUNICATIONS, INC.



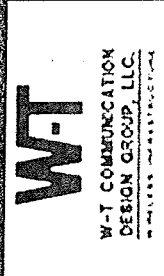
MN-MSP0225A

50 Celtic Avenue  
St. Paul, MN 55415

Facing North

clear  
wireless broadband

PROPOSED:



Disclaimer: This photo simulation is an artist's depiction of a future installation. The actual construction may vary slightly in size, layout, color and texture from this simulation.

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## Request for Continuance

Date 3/29/10

Richard Kramer, Chair  
Zoning Committee  
City of Saint Paul  
1400 City Hall Annex  
Saint Paul, Minnesota 55102

Re: Zoning File # 10-128 635

Dear Mr. Kramer:

I am the applicant or the applicant's duly appointed representative for this zoning file.

I request a continuance of the public hearing on the application in this zoning file, which is presently scheduled before the Zoning Committee on 4-15-10.

I understand that a continuance of the public hearing before the Zoning Committee means that the decision of the Planning Commission on this application, which is presently scheduled for 4-23-10, will also be continued.

I request that the Zoning Committee <sup>de la c</sup>continue the public hearing for this zoning file to 5-13-10 <sup>to 5-13-10</sup>, I understand that the Planning Commission would then be scheduled to make their decision on 5-21-10.

I am aware of and understand the statutory requirements found in Minn. Statue § 15.99 (1995) requiring the City of Saint Paul to approve or deny this application within sixty days of its submission. I desire to extend the sixty day period for a City decision under Minn. Stat. §15.99 by 28 days to 6-15-10, to accommodate the continuance I am requesting.

Sincerely,

Steven A. Kenny

Signature of Applicant or  
Applicant's duly appointed  
representative.

Steven A. Kenny

Printed name of Applicant or  
Applicant's duly appointed  
representative.



# MacalesterGroveland

COMMUNITY COUNCIL

320 South Griggs Street  
St. Paul, MN 55105  
www.macgrove.org

Phone: 651-695-4000  
Fax: 651-695-4004  
E-mail: mgcc@macgrove.org

April 23, 2010

City of St. Paul  
Planning and Economic Development  
Attn: Sarah Zorn  
1400 City Hall Annex  
15 West Kellogg Blvd.  
Saint Paul, MN 55102

Re: Clearwire Conditional Use Permit Application, 50 Cretin Avenue

Dear Sarah:

The Housing & Land Use Committee of the Macalester-Groveland Community Council met in response to Clearwire's proposal for a cellular antenna at 50 Cretin Avenue on Wednesday, April 21<sup>st</sup>. The committee passed the following resolution:

*The Macalester-Groveland Community Council's Housing & Land Use Committee recommends approval for Clearwire's application for a cellular antenna at 50 Cretin Avenue.*

Residents in attendance at the Housing & Land Use Committee public meeting asked questions about the height of the antenna in relation to the height of the existing antennae on the building and potential health risks. Clearwire responded to all inquiries.

Thank you for your consideration of this recommendation. Please contact me with any questions at 651-695-4000.

Sincerely,

Afton Martens  
Executive Director

cc: Steve Kenney, Clearwire

R2

AVE.

ST. THOMAS

Rm2

R3

APPLICANT Clear wire  
PURPOSE Conditional use  
FILE # 10-128635 DATE 3-29-10  
PLNG. DIST 14 MAP # 17 + 25

SCALE 1" = 400'



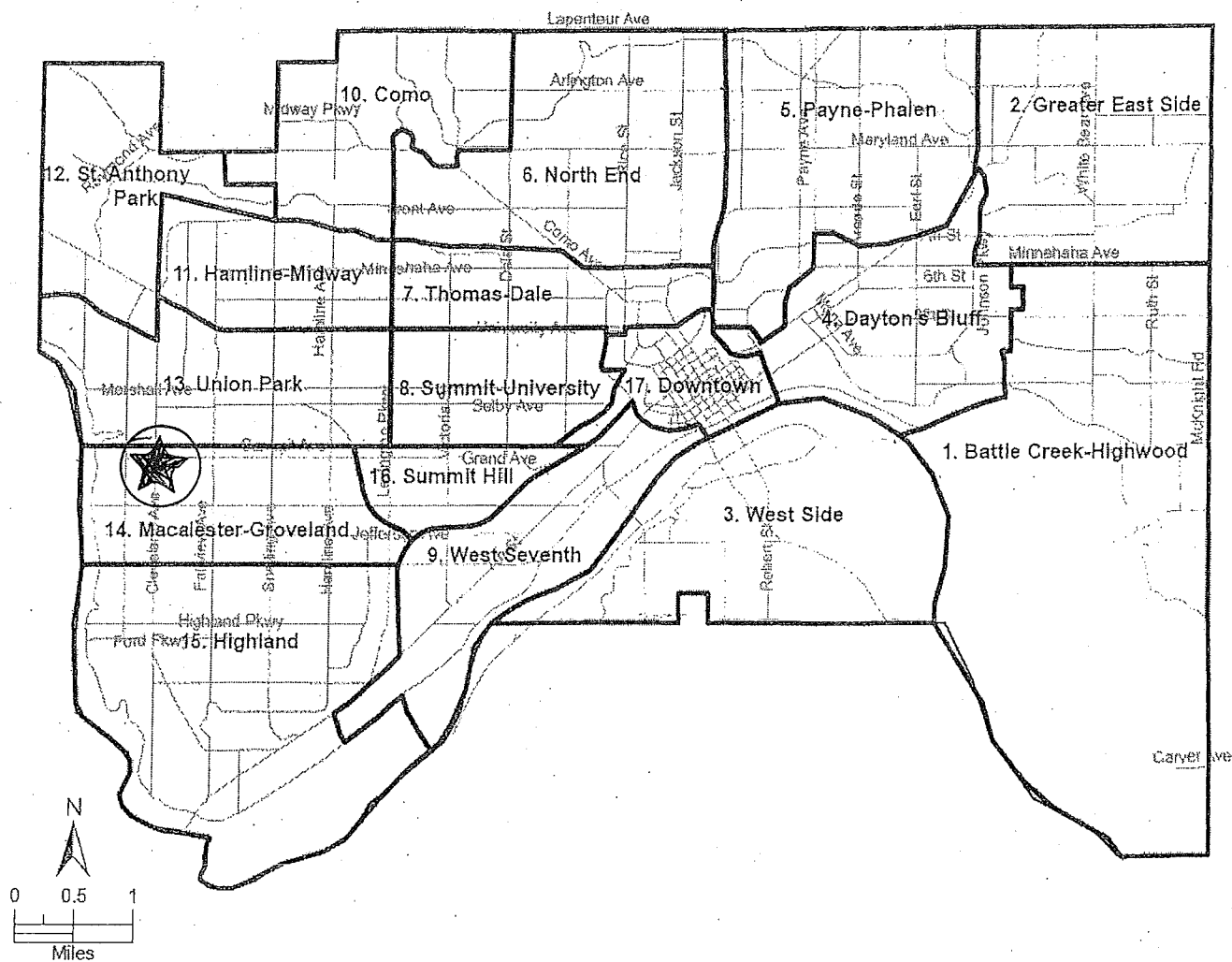
LEGEND

zoning district boundary

subject property

○ one family  
⊙ two family  
⊕ multiple family

north  
● ▲ ○ commercial  
◆ industrial  
V vacant



Source: City of Saint Paul

### CITIZEN PARTICIPATION PLANNING DISTRICTS

1. SUNRAY-BATTLECREEK-HIGHWOOD
2. GREATER EAST SIDE
3. WEST SIDE
4. DAYTON'S BLUFF
5. PAYNE-PHALEN
6. NORTH END
7. THOMAS-DALE
8. SUMMIT-UNIVERSITY
9. WEST SEVENTH
10. COMO
11. HAMLINE - MIDWAY
12. ST. ANTHONY
13. UNION PARK
14. GROVELAND-MACALESTER
15. HIGHLAND
16. SUMMIT HILL
17. DOWNTOWN

10-128635